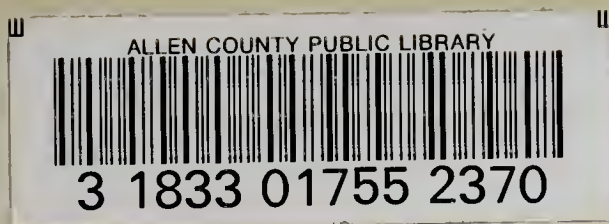


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THE CHARTER
AND
Revised Ordinances
OF
YATES CITY, ILLINOIS.

Arranged and Revised Under the Authority of the City
Council of Yates City, Illinois.

Published under the Authority of the City Council of Yates City, Ill.

GALESBURG, ILLINOIS:
'PLAINDEALER PRINTING COMPANY.
1897.

LIST OF MEMBERS

OF THE

DIFFERENT CITY COUNCILS

From the Incorporation of the City to the Present Time,
Including Appointive Officers.

First Election under City Charter was held on First Monday in April, 1869.

1869.

President,—D. TOUSLEE.

TRUSTEES:

W. H. EASTMAN.

G. N. PIERCE.

F. MADDEN.

J. D. ROBERTS.

City Clerk—E. B. RHEA.

City Marshal—W. L. ADAMS.

City Treasurer—BENJ. KERSEY.

Police Magistrate—DAVID WILTSE.

1870.

President—J. W. HENSLEY.

TRUSTEES:

C. L. ROBERTS.

F. T. WESTFALL.

J. C. RINER.

J. W. WOOD.

City Clerk—C. L. ROBERTS.

City Marshal—A. J. COYKENDALL.

City Treasurer—R. F. ANDERSON.

Police Magistrate—DAVID WILTSE.

CITY OFFICERS.

1871.

President—BENJ. KERSEY.

TRUSTEES:

R. F. ANDERSON.

J. G. BROWN.

W. D. ALEY.

OBED. RINEHART.

City Clerk—ROBERT DOLLARD.

City Marshal—RUFUS CLEVELAND.

City Treasurer—J. D. ROBERTS.

Police Magistrate—DAVID WILTSE.

1872.

President—J. G. BROWN.

TRUSTEES.

OBED. RINEHART.

GEO. TEDRICK.

R. F. ANDERSON.

CHAS. BARKER.

City Clerk—G. N. PIERCE.

City Marshal—W. L. ADAMS.

City Treasurer—J. D. ROBERTS.

Police Magistrate—A. J. COYKENDALL.

1873.

President—G. N. PIERCE.

TRUSTEES:

F. T. WESTFALL.

F. N. CAMP.

W. D. ALEY.

FRANK FININGER.

City Clerk—E. B. RHEA.

City Marshal—WILLIAM COLE.

City Treasurer—B. KERSEY.

Police Magistrate—A. J. COYKENDALL.

1874.

President—R. F. ANDERSON.

TRUSTEES:

HENRY SOLDWELL.

J. C. RINER.

J. W. WOOD.

F. T. WESTFALL.

City Clerk—E. B. RHEA.

City Marshal—OBED. RINEHART.

City Treasurer—D. M. CURTIS.

Police Magistrate—A. J. COYKENDALL.

1875.

President—HENRY SOLDWELL.

TRUSTEES:

S. M. TAYLOR.

B. BEVANS.

WILSON ADAMS.

L. T. PLUMMER.

City Clerk—G. M. WEBBER.

City Marshal—WM. DAVIS.

City Treasurer—J. W. WOOD.

Police Magistrate—A. J. COYKENDALL.

1876.

President—G. M. WEBBER.

TRUSTEES:

B. BEVANS.

J. C. RINER.

S. M. TAYLOR.

J. M. LAMBERT.

City Clerk—J. A. HENSLEY.

City Marshal—WILLIAM DAVIS.

City Treasurer—J. W. WOOD.

Police Magistrate—C. L. ROBERTS.

CITY OFFICERS.

1877.

President—J. C. RINER.

TRUSTEES:

C. A. STETSON.

H. D. SKIDMORE.

D. M. CARTER.

J. W. WOOD.

City Clerk—J. A. HENSLEY.

City Marshal—M. F. BEARD.

City Treasurer—A. M. SMITH.

Police Magistrate C. L. ROBERTS.

1878.

President—J. W. WOOD.

TRUSTEES:

WILSON ADAMS.

HENRY SOLDWELL.

B. BEVANS.

A. M. SMITH.

City Clerk—J. A. HENSLEY.

City Marshal—W. L. ADAMS.

City Treasurer—SMITH RHEA.

Police Magistrate—C. L. ROBERTS.

1879.

President—L. A. LAWRENCE.

TRUSTEES.

H. D. SKIDMORE.

S. M. TAYLOR.

WM. SYMONS.

SMITH RHEA.

City Clerk—J. A. HENSLEY.

City Marshal—W. L. ADAMS.

City Treasurer—A. M. SMITH.

Police Magistrate—C. L. ROBERTS.

CITY OFFICERS.

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1880.

President—L. A. LAWRENCE.

TRUSTEES:

R. F. ANDERSON.

W. P. PARKER.

WM. SYMONS.

SMITH RHEA.

City Clerk—J. A. HENSLEY.

City Marshall—W. L. ADAMS.

City Treasurer—J. M. TAYLOR.

Police Magistrate—C. L. ROBERTS.

1881.

President—HENRY SOLDWELL.

TRUSTEES:

T. J. KIGHTLINGER.

H. H. DUTH.

L. F. WATERMAN.

WM. SYMONS..

City Clark—J. A. HENSLEY.

City Marshal—W. L. ADAMS.

City Treasurer—J. W. WOOD.

Police Magistrate—C. L. ROBERTS.

1882.

President—G. M. WEBBER.

TRUSTEES:

W. P. PARKER.

J. B. COYKENDALL.

JACOB LEHMAN.

WALKER KIMLER.

City Clerk—J. A. HENSLEY.

City Marshal—FRANK WEBBER.

City Treasurer—J. W. WOOD.

Police Magistrate—T. L. LONG.

CITY OFFICERS.

1883.

President—HENRY SOLDWELL.

TRUSTEES:

B. BEVANS.

JAMES CLANCEY.

C. L. ROBERTS.

EDMUND ROGERS.

City Clerk—J. A. HENSLEY.

City Marshal—T. J. KIGHTLINGER.

City Treasurer—J. W. WOOD.

Police Magistrate—T. L. LONG.

1884.

President—C. L. ROBERTS.

TRUSTEES:

EDMUND ROGERS.

P. W. THOMPSON.

JAMES CLANCEY.,

M. KNABLE.

City Clerk—J. A. HENSLEY.

City Marshal—L. SERIES.

City Treasurer—J. W. WOOD.

Police Magistrate—T. L. LONG.

1885.

President—C. L. ROBERTS.

TRUSTEES:

F. T. WESTFALL.

H. J. TRUITT.

WILLIAM BEESON.

W. H. NASH.

City Clerk—R. A. FULTON.

City Treasurer—JOHN W. WOOD.

City Marshal—LOUIS SERIES.

CITY OFFICERS.

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1886.

President—L. A. LAWRENCE.

TRUSTEES:

WILLIAM BEESON.

JAMES CLANCEY.

HENRY HARE.

JACOB LEHMAN.

City Clerk—R. A. FULTON.

City Treasurer—JOHN W. WOOD.

City Marshal—CHARLES BARKER.

1887.

President—C. L. ROBERTS.

TRUSTEES:

WILLIAM BEESON.

JAMES CLANCEY.

ANDREW HUFLAND.

HENRY SOLDWELL.

City Clerk—R. A. FULTON.

City Treasurer—L. F. WERTMAN.

City Marshal—M. J. GRIFFITH.

1888.

President—ROBERT A. LOWER.

TRUSTEES:

CHARLES B. BIRD.

S. T. HIGGINS.

W. C. SERLES.

PERRY TAYLOR.

City Clerk—R. A. FULTON.

City Treasurer—L. F. WERTMAN.

City Marshal—SAMUEL A. WILSON.

1889.

President—L. A. LAWRENCE.

TRUSTEES:

CHARLES BARKER.

W. S. BLISS.

ROBERT E. BIRD.

C. H. WIDMEYRE.

City Clerk—R. A. FULTON.

City Treasurer—S. C. RANSOM.

City Marshal—ANTON SCHOENBERGER.

1890.

President—A. H. McKEIGHAN.

TRUSTEES:

J. W. DIXON.

S. C. RANSOM.

PORTER H. BEESON.

W. H. HOUSER.

City Clerk—O. J. WREN.

City Treasurer—SMITH RHEA.

City Marshal—FRANK T. CORBIN.

1891.

President—L. A. LAWRENCE.

TRUSTEES:

J. W. DIXON.

W. H. HOUSER.

HENRY LARSON.

S. T. HIGGINS.

City Clerk—I. C. ENOCHS.

City Treasurer—SMITH RHEA.

City Marshal—W. L. ADAMS.

1892.

President—L. A. LAWRENCE.

TRUSTEES:

JACOB LEHMAN.

S. P. HASSELBACHER.

ANDREW JACOBS.

J. W. WOOD, JR.

City Clerk—HENRY SOLDWELL.

City Treasurer—R. A. FULTON.

City Marshal—A. GARRISON.

1893.

President—R. A. LOWER.

TRUSTEES:

J. W. WOOD, JR.

WILLIAM MASON.

CHARLES KNOX.

S. P. HASSELBACHER.

City Clerk—HENRY SOLDWELL.

City Treasurer—FRANK WILSON.

City Marshal—A. GARRISON.

1894.

President—H. J. HENSLEY.

TRUSTEES:

CHALLES KNOX.

A. GERMAN.

W. O. GOOLD.

R. A. LOWER.

City Clerk—T. J. KIGHTLINGER.

City Treasurer—FRANK WILSON.

City Marshal—W. A. SCHLINKER.

1895.

President—C. H. WIDMEYRE.

TRUSTEES:

CHARLES V. BIRD.

S. P. HASSELBACHER.

P. A. TAYLOR.

G. W. BOWMAN.

City Clerk—T. J. KIGHTLINGER.

City Treasurer—JOHN W. DIXON.

City Marshal—MELCHOR KNABLE.

1896.

President—S. P. HASSELBACHER.

TRUSTEES:

G. W. BOWMAN.

JACOB LEHMAN.

JOHN NEWLIN.

ANDREW GERMAN.

City Clerk—T. J. KIGHTLINGER.

City Treasurer—J. W. DIXON.

City Marshal—MELCHOR KNABLE.

1897.

President—R. A. LOWER.

TRUSTEES:

A. GARRISON.

W. O. GOOLD.

LOUIS EKSTRAND.

L. H. LIVERMORE.

City Clerk—J. B. COYKENDALL.

City Treasurer—F. E. WILSON.

City Marshal—M. KNABLE.

Police Magistrate—T. J. KIGHTLINGER.

CHARTER.

AN ACT to incorporate Yates City. Approved March 4th, 1869.

ARTICLE FIRST—Boundaries and General Powers.

ARTICLE SECOND—Of the City Council.

ARTICLE THIRD—Elections and Qualifications of Voters.

ARTICLE FOURTH—Powers of the City Council.

ARTICLE FIFTH—Of the President.

ARTICLE SIXTH—Of the Police Magistrate.

ARTICLE SEVENTH—Miscellaneous Provisions.

ARTICLE I.

BOUNDARIES AND GENERAL POWERS.

SECTION.

1. Corporate name.
2. Territory constituting Yates City.

SECTION.

3. General powers of the Corporation.

SECTION 1. *Be it Enacted by the People of the State of Illinois, Represented in the General Assembly,* That the inhabitants of Yates City, in the County of Knox, and State of Illinois, be, and they are hereby constituted, a body politic and corporate, by the name and style of “Yates City,” and by that name shall have perpetual succession, and may have and use a common seal, which they may change and alter at pleasure.

SEC. 2. The boundaries of the corporation hereby created shall be as follows, to-wit: Beginning at the northwest corner of section number eleven (11), in township number nine (9) north, of range number four (4) east of the fourth principal meridian, and running thence south one mile to the southwest corner of section eleven (11), thence east one mile to the southeast corner of said section eleven (11), thence north one-half of one mile, thence east ten rods, thence north twelve rods, thence west ten rods, thence south twelve rods, and running thence west one-fourth of one mile, and thence north one-half of one mile, thence running west to the place of be-

ginning. *Provided, nevertheless,* that the City Council of said city may at any time, by ordinance, extend the limits of said corporation, not, however, to exceed two miles square.

SEC. 3. The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, implead, and be impleaded, defend, and be defended, in all courts of law or equity, and in all actions whatsoever; to purchase, receive and hold property, both real and personal, within the limits of said city; to purchase, receive, and hold real property, beyond the limits of said city, for burial grounds, or other purposes for the use of said inhabitants; to improve and protect such property, and lease, sell, convey, and dispose of the same, and to do all other acts and things in relation thereto, as natural persons.

ARTICLE II.

OF THE CITY COUNCIL.

SECTION.

1. Members; of their election.
2. Qualifications.
3. Vacancies.
4. Vacancies; how filled.
5. Judges of election.
6. Quorum. Power to compel attendance of absent members.

SECTION.

7. Rules of proceedings. Ineligibility to hold office.
8. Journal of Proceedings.
9. Oath of office.
10. Tie Vote in election.
11. Meeting of the City Council.

SECTION 1. The municipal government of said city shall be vested in a City Council, consisting of a President and four Trustees, who shall be elected annually by the legal voters of said city, and continue in office until their successors are elected and qualified.

SEC. 2. No person shall be a member of the City Council unless he shall have been a resident of said city one year immediately preceding his election, and shall be at the time of his election twenty-one years of age, and a citizen of the United States.

SEC. 3. If any member of the City Council shall remove from the said city, his office shall thereby be vacant.

SEC. 4. All vacancies that may occur in the City Council shall be filled by election.

SEC. 5. The City Council shall be judges of the qualifications, elections, and returns, of its own members, and shall determine all contested elections.

SEC. 6. A majority of the City Council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time, and compel the attendance of absent members under such penalties as may be prescribed by ordinance.

SEC. 7. The City Council shall determine the rules of its proceedings, but no member thereof shall be appointed to any office under its authority, except temporary clerk.

SEC. 8. The City Council shall cause to be kept a journal of its proceedings, and such journal, purporting to be a record of the proceedings of the City Council, shall be received in all courts and places, without further proof, as evidence of all matters contained therein.

SEC. 9. Every member of the City Council, before entering upon the discharge of the duties of his office, shall take and subscribe an oath, or affirmation, that he will support the Constitution of the United States, and of this State, and that he will well and truly perform the duties of his office to the best of his ability.

SEC. 10. Whenever there shall be a tie vote on the election for members of the City Council, the judges of election shall certify the same to the Police Magistrate, who shall determine the same by lot in the presence of said judges, who shall enter the result thereof on their returns of election.

SEC. 11. There shall be a stated meeting of the City Council in each month, and such other meetings as may be called, to be held at such times and places as may be prescribed by ordinance.

ARTICLE III.

ELECTIONS, AND QUALIFICATIONS OF VOTERS.

SECTION.

1. Elections; time of holding.
2. Voters; qualification of.

SECTION.

3. Judges of the first election.

SECTION 1. On the first Monday in April, A. D. 1869, and on the first Monday in April in each year thereafter, an election shall be held in said city for the purpose of choosing a President and four members of the City Council hereby established. *Provided*, however, that if for any reason an election shall not be held on such day in any year, the City Council may order an election to be held at any other time, as soon thereafter as may be given due notice thereof as may be prescribed by ordinance.

SEC. 2. Every person entitled to vote for State officers, and who shall have an actual residence in said city for thirty days next preceding such election, shall be entitled to vote thereat.

SEC. 3. John D. Huey, Jacob C. Riner, and Elias B. Rhea, shall be judges of the first election held under this act, or in case of their incapacity to act from any cause, George N. Pierce, Bazel Bevans and John S. Foster, shall act as such judges, who shall give ten days' notice of the time and place of holding such election, by posting up notices in three public places in said city, and they shall have authority to prescribe the manner in which said election shall be conducted.

ARTICLE IV.

POWERS OF THE CITY COUNCIL.

SECTION.

1. Taxation.
2. To borrow money.
3. Appropriations.
4. To appoint officers; oath and bonds of.
5. Compensation of city officers, etc.
6. Police regulations.
7. Nuisances.
8. Streets, lanes, alleys, public grounds, etc.
9. Bridges, culverts, etc.
10. Protection of public grounds.
11. Public buildings.
12. Sidewalks.
13. Street labor.
14. Surveying and platting, etc.
15. Water.
16. Fires and fire companies.
17. Inspection and weighing hay, etc.
18. Storage of gunpowder, tar, pitch, etc.

SECTION.

19. Running at large of cattle, horses, etc.
20. Public pound.
21. Dogs.
22. Horse racing, etc.
23. Lewd conduct.
24. Riots, affrays, tumults, etc.
25. Malicious mischief.
26. Theatres, shows, etc.
27. Auctioneers, hawkers, etc.
28. Tippling houses, dram shops, gambling houses, etc.
29. Gambling, swindling, etc.
30. Intoxicating liquor.
31. Enumeration of inhabitants.
32. Ordinances, fines, forfeitures, etc.
33. Imprisonment.
34. Style of ordinances.
35. Book of ordinances.
36. Posting ordinances.
37. Ordinances; how proven; publication of in book form.

SEC. 1. The City Council shall have power to levy and collect taxes on all property, real and personal, within the limits of said city, not exceeding one-half of one per cent. per annum, upon the assessed valuation thereof, for general purposes, and they may enforce the payment of said taxes in any manner to be prescribed by ordinance, not repugnant to the constitution and laws of the United States or of this State.

SEC. 2. To borrow money on the credit of said city. *Provided*, that the interest payable on the aggregate of all sums borrowed and outstanding shall never exceed in any year one-half of the city revenue from real estate for that year.

SEC. 3. To appropriate money and provide for the payment of all debts and expenses of the city.

SEC. 4. To appoint a Clerk, Treasurer, Collector, Assessor, City Marshal, Street Commissioner, and such other officers as they may deem expedient for carrying this act into full effect, and to

prescribe their duties, to require all officers so appointed to take an oath for the faithful performance of such duties, and to give bonds with such securities and penalties as may be prescribed by ordinance.

SEC. 5. To fix the compensation of city officers, regulate the fees of juries, witnesses and others, for services rendered under this act, and to remove from office any person appointed by them.

SEC. 6. To make regulations to prevent the introduction of contagious diseases into the city.

SEC. 7. To make regulations to secure the general health of the inhabitants, to declare what shall be deemed a nuisance, and to prevent, abate and remove the same, and to punish the author thereof.

SEC. 8. To open, alter, widen, extend, establish, vacate, abolish, grade, pave, or otherwise improve, any streets, lanes, avenues, alleys, roads, squares, commons, parks, or other public grounds or places in said city, and to have exclusive control of the same

SEC. 9. To [build and keep in repair bridges, culverts and street crossings.

SEC. 10. To provide for protecting, inclosing, adorning, or otherwise improving, any squares, commons, parks, or other public grounds in said city, or any other grounds or places, belonging to said corporation.

SEC. 11. To provide for the erection of all needful buildings for the use of said city, and to levy special taxes therefor when authorized to do so by the legal voters of the city at any election, and to collect the same as other taxes are collected.

SEC. 12. To cause the owners of lots, or parts of lots, or lands, on any street, alley, or square, to improve the sidewalk in front of their respective lands, by grading, paving, planking, or otherwise, as may be directed by ordinance, and keep the same in repair; and if any owner, or his agent, shall refuse or neglect to make such improvement within the time specified in such ordinance, or to repair the same at any time when notified by the Street Com-

missioner to do so, the City Council shall have power to cause such improvement or repairs to be made at the expense of the city, and to assess a special tax upon the owner of such lots or lands, sufficient to cover all costs and charges therefor, which tax shall constitute a lien upon such lots, or lands, and be collected in all respects as other taxes. *Provided*, that the cost of any such improvement or repairs, with all expenses attending the same, may be recovered by suit brought in the corporate name against the owner of such lots, or lands, as for money paid and laid out for his use and benefit and at his request.

SEC. 13. To cause all the streets, alleys, lanes, avenues and public grounds in the city to be kept in good repair, and to this end they may require every able-bodied male inhabitant thereof, over the age of twenty-one years and under fifty, to labor on such streets, alleys, lanes, avenues or public grounds, not exceeding three days in every year, or pay commutation in lieu thereof, at the rate of one dollar for each day they may be so required to labor, and the inhabitants of said city are hereby exempted from working on any road beyond the limits of said city, and from paying any tax to procure labor to be done thereon.

SEC. 14. To provide for surveying, platting, numbering, and recording, the plat of any or all out-lots or lands within the limits of said corporation, not now laid out into town lots in said city, and the additions thereto; and to cause such out-lots and lands to be designated by such numbers in the assessment lists, and to sell the same for non-payment of taxes by such designation.

SEC. 15. To provide the city with water, and to dig wells and cisterns for the use of the inhabitants.

SEC. 16. To provide for the prevention and extinguishment of fires, and to organize and regulate fire companies.

SEC. 17. To provide for the inspection and weighing of hay and coal, and the measurement of wood sold for fuel in said city.

SEC. 18. To regulate the storage of gunpowder, pitch, tar, turpentine, rosin, and other combustible materials.

SEC. 19. To restrain, regulate and prohibit the running at

large of horses, cattle, sheep, swine, and other animals, and to authorize the distraining, impounding and sale of the same when found running at large contrary to any ordinance, and to prevent any indecent exhibition of horses or other animals.

SEC. 20. To establish and maintain a public pound, appoint a Pound Master and prescribe his duties.

SEC. 21. To prevent and regulate the running at large of dogs, and to authorize the destruction of the same when running at large contrary to any ordinance.

SEC. 22. To prevent horse racing or any immoderate riding or driving within the limits of said city, of horses or other animals, to prevent the abuse of animals, and to compel persons to fasten their horses or other animals attached to vehicles, or otherwise, while standing or remaining in any street, square, vacant lot, or other open place in the city.

SEC. 23. To prohibit and prevent any indecent exposure of the person, or other lewd or shameful practice, and punish persons guilty thereof.

SEC. 24. To prevent, suppress and prohibit any riot, affray, tumult, or disturbance of the peace, by loud or unusual cries, noises, or any other disorderly assemblages, assaults, assaults and batteries, firing of squibs, rockets, guns, or other combustibles or other firearms within the limits of said city.

SEC. 25. To prohibit, prevent and punish any wanton injury to private property, disorderly intrusion upon any private premises, petty pilfering, destruction or injury of shade trees, or any other disorderly proceedings, endangering or trespassing upon the rights of private persons or property.

SEC. 26. To license, tax and regulate theatrical and other exhibitions, shows and amusements.

SEC. 27. To license, tax and regulate auctioneers, hawkers, ordinaries and gift enterprises.

SEC. 28. To restrain, prohibit and suppress tippling houses, dram shops, gambling houses, bawdy houses, and other disorderly establishments.

SEC. 29. To restrain, prohibit and suppress all descriptions of gambling, swindling and fraudulent abuses, and to punish all persons in any manner engaged therein.

SEC. 30. To license and regulate, or suppress and prohibit, the selling, bartering, exchanging, giving away, trafficking in, or in any manner disposing of, any wines, gin, rum, brandy, whiskey, beer, ale, or any other vinous, spiritous, malt, mixed, or intoxicating beverages, within the limits of said city.

SEC. 31. To provide for taking enumerations of the inhabitants of said city,

SEC. 32. To pass all ordinances which they may deem proper for carrying into full effect the provisions of this act, and for the regulation of the municipal government of said city, and to execute the same; and to impose fines, forfeitures and penalties for the violation of any ordinance or any of the provisions of this act; and to provide for the enforcement of such ordinances, and the recovery of such fines, forfeitures and penalties in any manner not repugnant to the Constitution of the United States or of this State. *Provided*, that in no case shall any such fine or forfeiture exceed the sum of one hundred dollars for any one offense; and any such fine or forfeiture may be recovered before the Police Magistrate herein provided for, or any Justice of the Peace in said county of Knox, in the corporate name; and such Police Magistrate or Justice of the Peace may, unless the amount of the judgment be paid forthwith, or satisfactory security given, issue execution against the goods and chattels of any offender immediately upon rendition of judgment, or he may direct that such offender be held in custody and compelled to work out the amount of such fine and costs on the public streets.

SEC. 33. To provide for the punishment of offenders against any ordinance or provision of this act, by imprisonment, not to exceed three months for any one offence, in the county jail, or city prison, or other secure place, to be provided by them for that purpose.

SEC. 34. The style of the ordinances of said city shall be: "Be it ordained by the City Council of Yates City."

SEC. 35. All ordinances passed by the City Council shall be recorded in a book to be kept for that purpose, which book, purporting to be a record of the ordinances of said city, shall be received in evidence in all courts and places, without further authentication or proof.

SEC. 36. Printed or written copies of all ordinances passed by the City Council shall be posted up in at least three of the most public places in said city, within thirty days after their passage, and all ordinances shall take effect at the expiration of ten days after such posting.

SEC. 37. All ordinances of the city may be proven by the seal of the corporation, and when printed and published in book or pamphlet form, and purporting to be printed or published by authority of the City Council, shall be received in evidence in all courts and places without further authentication or proof, and any ordinance of said city printed and published in any newspaper in Knox county, and purporting to be printed or published by authority of the City Council, shall in like manner be received in evidence in all courts or places without further authentication or proof.

ARTICLE V.

OF THE PRESIDENT.

SECTION.

1. Powers of as Chief Executive.
2. Superintending the acts of inferiors.
3. As presiding officer; when tie vote; absence of.

SECTION.

4. May call a special meeting.
5. Signature of, and corporate signature.
6. Additional duties.

SEC. 1. The President shall be the chief executive officer of the corporation, and as such shall be a conservator of the peace, and have power to arrest without warrant and bring to trial any person guilty of a violation of any ordinance or provision of this act; and he may appoint from time to time, as the same may appear to him necessary, such watchmen, by day or night, as may be requisite to preserve the peace in any emergency or apprehended disturbance, and such watchmen so appointed are hereby authorized to arrest without warrant, and confine any person found engaged in any

violation of any ordinance of said city, precisely as the City Marshal of said city is, by this act, authorized to do; and the said President is hereby authorized to call upon any white male resident of said city, over the age of twenty-one years, to aid in the enforcement of the ordinances of said city, and to preserve the peace; and any person who shall fail or refuse to obey such call shall forfeit and pay to such city a fine not exceeding ten dollars.

SEC. 2. He shall be active and vigilant in enforcing the laws and ordinances for the government of the city; he shall inspect the conduct of all subordinate officers of the city, and cause negligence and positive violations of duty to be prosecuted and punished; and he shall have power whenever he may deem it necessary to require of any officer of said city an exhibition of his books and papers.

SEC. 3. He shall preside at all meetings of the City Council, preserve order, and have a casting vote in case of a tie, but no other; in case of his non-attendance at any meeting, the Council shall appoint one of their number to preside at such meeting.

SEC. 4. The President or any two members may call a special meeting of the City Council.

SEC. 5. His signature to any paper or document as President of Yates City, with that of the Clerk, attested by the seal of the city, or their own private seals, shall constitute the signature of said corporation.

SEC. 6. He shall perform such other additional acts and duties as may be required of him by ordinance.

ARTICLE VI.

OF THE POLICE MAGISTRATE.

SECTION.

1. Election of and term of office.
2. Qualification of.

SECTION.

3. Commission of; jurisdiction of.
4. Process of; how executed.

SEC. 1. At the election to be held in said city on the first Monday in April next, and at such election in every fourth year thereafter, a Police Magistrate of Yates City shall be elected, who shall continue in office until his successor is elected and qualified.

SEC. 2. No person shall be eligible to the office of Police Magistrate who shall not have been a resident of said city for one year next preceding his election, or who shall not be over the age of twenty-one years and a citizen of the United States.

SEC. 3. Said Police Magistrate shall be commissioned and qualified in the same manner provided by law for Justices of the Peace of this State, and whose jurisdiction shall extend in Knox county to all causes of action at common law, or by statute, where the plaintiff's demand shall not exceed five hundred dollars, and to all cases of misdemeanor committed within the limits of said city, where indictment is not necessary to a conviction; he shall be a conservator of the peace for said city, and shall have jurisdiction in all cases arising under the charter and ordinances of said city, in preference to other Justices of the Peace, and shall be entitled to the same fees and emoluments for his services as are allowed to Justices of the Peace in similar cases under the laws of this State. Changes of venue may be taken from said Police Magistrate in all cases coming before him, except in cases beyond the jurisdiction of a Justice of the Peace, in the same manner as from other Justices of the Peace, to the next nearest Justice; in case of the death, sickness or absence from the city of said Police Magistrate, any Justice of the Peace, residing within the limits of said city, shall have jurisdiction in all cases arising under the charter and ordinances thereof.

SEC. 4. It is hereby made the duty of the City Marshal of said city, and of all Constables of Knox County, to execute any process or order, issued or made by said Police Magistrate in the County of Knox in the same manner as processes are executed from other Justices of the Peace.

ARTICLE VII.

MISCELLANEOUS PROVISIONS.

SECTION.

1. Annual financial statement.
2. Judges of election.
3. Fines, license fees, and other moneys.
4. Appeals to Circuit Court.
5. Trial by jury.
6. City Marshal; powers and duties; penalty for resisting.
7. Competency of city officers as witnesses.

SECTION.

8. Suits brought in corporate name.
9. No security for costs required.
10. Power to take stock in railroad company.
11. Charter declared a public act.
12. Date of charter.

SECTION 1. The City Council shall cause to be published, at the close of each year, a complete statement of the receipts and expenditures of the city during the year.

SEC. 2. The members of the City Council, or any two of them, shall be judges of the annual elections held in pursuance of this act, and such special elections as may be ordered by them, and shall conduct the same in such manner as may be prescribed by ordinance.

SEC. 3. All fines imposed and collected for violations of any of the ordinances of said city, and all license fees, and other moneys collected by virtue of this act, or any ordinance passed in pursuance of this act, shall be paid into the treasury of said city by the officer receiving the same, and shall constitute a part of the general fund thereof.

SEC. 4. Appeals shall be allowed from decisions in all cases arising under the provisions of this act, or any ordinance passed in pursuance thereof, to the Circuit Court of Knox County, and every such appeal shall be granted in the same manner, and with like effect, as appeals are taken from and granted by Justices of the Peace to the Circuit Court in similar cases under the laws of this State.

SEC. 5. The right of trial by jury shall be allowed to any person charged with a violation of any of the provisions of this act, or a breach of any ordinance of said city.

SEC. 6. The City Marshal to be appointed by the City Coun-

cil, as hereinbefore provided, shall have the same power and authority in all cases arising under the laws of this State as other constables in Knox County, and shall have the same right throughout the County of Knox to serve any process issued by any Court as other constables; and he shall have authority to arrest without warrant any person found engaged in a violation of any ordinance of said city, or any person liable to escape before a warrant can be procured, and confine such person in the city prison or other secure place, or hold him in custody until he may be brought to trial; and any person who shall forcibly resist said City Marshal in the discharge of his duty shall, upon conviction thereof, forfeit and pay a fine not exceeding one hundred dollars, nor less than ten dollars.

SEC. 7. Any member of the City Council, or other officer of said city, shall be a competent witness in any suit, action or prosecution, wherein Yates City may be a party.

SEC. 8. All suits, actions and prosecutions, instituted, commenced or brought by the corporation hereby created, shall be instituted, commenced and prosecuted in the name of Yates City.

SEC. 9. The corporation hereby created shall not be required, in any suit brought for a violation of any ordinance of Yates City, to file, before the commencement of any such suit, or during the pendency thereof, any security for costs.

SEC. 10. The City Council shall have power to take stock in any railroad company now organized, or hereafter to be organized, or in any other company that is or may be organized, to any amount not exceeding twenty-five thousand dollars in any one company, after having submitted the question to the legal voters of said city.

SEC. 11. This act is hereby declared to be a public act, and may be read in evidence in all Courts of law or equity in this State without proof.

SEC. 12. This act shall take effect and be in force from and after its passage.

.APPROVED March 4, 1869.

RULES AND ORDER OF BUSINESS

OF THE

CITY COUNCIL OF YATES CITY.

SECTION 1. The President shall take the chair at the hour appointed for the Council to meet, and immediately call the members to order. He shall order the roll called, which shall be done in alphabetical order, and at the instance of any two members present compel the attendance of absent members.

SEC. 2. Order of business.

- a.* Reading the minutes of preceding meeting, unless dispensed with; and their amendment or correction.
- b.* Presentation of petitions, claims, and reports of officers.
- c.* Reports of standing committees.
- d.* Reports of special committees.
- e.* Communications to the Council.
- f.* Unfinished business of preceding meeting.
- g.* New business.

SEC. 3. All questions as to priority of business shall be decided without debate.

SEC. 4. The President shall preserve order, and decide all questions of order, subject to an appeal to the Council.

SEC. 5. While a question is being put, no person shall walk across, nor shall a member leave, the Council room.

SEC. 6. When two or more members address the President, he shall decide who is first to speak.

SEC. 7. No member shall speak more than twice on the same question, nor more than once upon the previous question, without leave of the Council; nor more than once, in any case, until every member choosing to speak shall have spoken.

SEC. 8. While a member is speaking no person shall entertain any private discussion in the Council room, nor shall any person pass between the President and speaker.

SEC. 9. Every person, previous to his speaking, shall address; "Mr. President," and not proceed until recognized and named by the President.

SEC. 10. No personalities or reflections injurious to the feelings of any member, or to the harmony of the Council, shall be tolerated.

SEC. 11. A member called to order shall immediately cease speaking, unless permitted by the President to explain.

SEC. 12. When a question is stated, every member present shall vote, unless excused by the Council, or directly interested in the result of the question.

SEC. 13. No motion shall be entertained unless seconded; when seconded it shall be stated by the President.

SEC. 14. When a motion has been stated, it shall be deemed to be in possession of the Council, but may be withdrawn at any time before a decision or amendment.

SEC. 15. When a question is under debate no motion shall be received, unless for the previous question, to lay the question on the table, to amend, or to adjourn.

SEC. 16. A motion for the previous question, to lay the question on the table, or to commit it until decided, shall preclude all amendment to the main question.

SEC. 17. The previous question shall be put as follows: "Shall the main question be now put?"

SEC. 18. A motion to adjourn shall always be in order, and shall be decided without debate.

SEC. 19. In all cases the name of a member offering a resolution or motion shall be entered with it upon the journal.

SEC. 20. The yeas and nays shall be taken on the passage of all ordinances and on all propositions to create a liability against the City or for the expenditure or appropriation of its money,

and in all other cases at the request of any member, which shall be entered upon the journal of its proceedings.

SEC. 21. No ordinance shall be repealed or passed or any proposition creating a liability against the city, or for the expenditure or appropriation of its money, save by a majority vote of the members elected; *Provided*, that it shall require a two-thirds vote of the members elected to sell any city or school property.

SEC. 22. All committees shall be appointed by the President, unless otherwise directed by the City Council.

SEC. 23. Committees to whom any subject may be referred, shall report in writing, addressed to the City Council of Yates City.

SEC. 24. The City Clerk shall forward all papers to the appropriate committees and officers as early as the next day after the reference shall have been made, by the City Marshal, who shall deliver them.

SEC. 25. The standing committees of the Council shall be as follows, to-wit;

On streets, alleys, public buildings and grounds, two members.

On police, two members.

On finance, two members.

On miscellaneous business, two members.

Such committees shall be appointed by the President annually, on entering upon the duties of his office. The first named of each committee shall be chairman of the same.

SEC. 26. The regular stated meetings of the City Council shall be held at the building occupied by the Council, on the first Monday of each month, at seven o'clock P. M.; and special meetings shall be held at such times as in the judgment of the President, or any two members of the City Council, the same are necessary or expedient, notice of such special meetings being given to each member of the City Council.

SEC. 27. The City Marshal, or some person appointed by him at his own cost, shall attend all meetings of the Council, and execute all their orders.

REVISED ORDINANCES.

CHAPTER I.

AN ORDINANCE ESTABLISHING THE REVISED ORDINANCES OF THE CITY CORPORATE OF YATES CITY.

SECTION.

1. Establishing Revised Ordinances of 1897.
2. Rules of Construction.

SECTION.

3. Provisions for Ordinances of a Special Character.

Be it Ordained by the City Council of Yates City:

SECTION 1. That the following code of revised ordinances of Yates City shall be designated as the "Revised Ordinances of 1897," of Yates City, and shall be published in book form, properly arranged, and divided into chapters and sections, and when so published, they shall be of authority and in force in said city, and shall be received in all courts and places without further proof; and that all ordinances not contained in said code of revised ordinances, which are inconsistent therewith, shall be, and the same are hereby repealed from and after such publication: *Provided*, however, that such repeal shall not affect nor invalidate any act done, right accrued, offence committed, penalty incurred or proceeding, or suit, or action commenced before the date of said publication; but that all such acts, rights, offences, penalties and proceedings commenced and pending, shall and may be prosecuted to final judgment, in the same manner as they could have been had this ordinance, and said revised ordinances, not been passed.

SEC. 2. *Be it further Ordained*, That whenever in any ordinance, any subject matter, party or person, is described or referred to in the singular number, and any two or more such subject matters, parties or persons are equally within the reason and object of the ordinance, the language thereof shall be so construed as to embrace them; and if in like manner, words are used importing the plural number, they shall be held applicable under the circumstances to any single matter, party or person referred to; and if the terms of the ordinance refer to males only, they shall be

understood in similar case to include females also; *Provided*, that these rules of construction shall not prevail, if there be any special provision in such ordinance, plainly repugnant to such an interpretation.

SEC. 3. That all ordinances of said city establishing, altering or providing for the improvement of any street, lane, avenue, alley, public square or sidewalk; or establishing, changing or altering the grade of the same, and all ordinances of a purely special character, and local only to a particular subject, or the intent and purpose of which has been fully completed and executed, and which remain only as authority for such act or execution, and which are not provided for and embraced in any of the chapters of the revised ordinances, shall be and remain in full force and unrepealed.

CHAPTER II.

AN ORDINANCE IN RELATION TO PROVING AND PRESERVING ORDINANCES.

Be it Ordained by the City Council of Yates City:

SEC. 1. That the publisher of all ordinances hereafter passed by the City Council of Yates City, shall attach to the ordinance, when published, his printed certificate of its publication, as near as may be, in the following form, to-wit:

“Published in the———in its issue of———18——.

A. B. C., Publisher.”

And after such publication, the publisher shall immediately file with the City Clerk a copy of all papers containing published ordinances of Yates City, with his certificate of publication, which said paper and certificate shall be carefully filed and preserved by the City Clerk among the papers of the city.

CHAPTER III.

IN RELATION TO EXTENDING THE CORPORATE LIMITS OF
YATES CITY.

SECTION.

1. Extension of corporate limits into N. E. Section 11.

SECTION.

2. Extension of corporation into Section 14, to include Yates City Cemetery.

SEC. 1. That the boundaries of the corporation of Yates City shall be extended as follows, viz: Beginning at a point one hundred and seventy-two (172) rods north of the south-east corner of section eleven (11), in township nine (9) north, of range four (4) east of the fourth principal meridian, and running thence north one hundred and forty-eight (148) rods to the north-east corner of said section eleven (11), thence west one-fourth of one mile to intersect a point in the boundaries of said city as prescribed in section second of article first of the charter of Yates City.

SEC. 2. The boundaries of the corporation of Yates City shall also be extended as follows: Beginning at the northeast corner of the northwest one-fourth of the northeast one-fourth of section fourteen (14), in township nine (9) north, range four (4) east of the fourth principal meridian, and running south five (5) chains and thirty-six (36) links, thence west five (5) chains and sixty (60) links, thence north five (5) chains and thirty-six (36) links, thence east five (5) chains and sixty (60) links, to the place of beginning, as herein described.

CHAPTER IV.

SPECIAL ORDINANCE IN REGARD TO STREETS AND ALLEYS.

SEC. 1. The plat made by R. Voris, county surveyor of Knox county, in the State of Illinois, showing the sub-divisions, roads, streets and alleys, made up from the records of the said county of Knox, on the 13th, 17th and 23d of December, 1881, and the 27th day of February, 1882, is hereby declared to be the lawful plat of said Yates City, and the width of all roads, streets and alleys, as laid down in said plat, shall be the lawful width of said roads, streets and alleys in said Yates City and its subdivisions.

CHAPTER V.

IN RELATION TO ELECTIONS IN YATES CITY.

SECTION.

1. Annual election; when held.
2. Officers; who elected.
3. Voters; residence of; what constitutes.
4. City Clerk; duty of to give notice of elections.

SECTION.

5. Manner of conducting elections.
6. Election not held at time appointed may be held thereafter.
7. Fees of Judges and Clerks of election.

SECTION 1. A general election for city officers shall be held on the first Monday in April of each year.

SEC. 2. At each general election a President and four members of the City Council shall be elected.

SEC. 3. All persons entitled to vote at any general election for State officers, within Yates City, having resided therein thirty days then next preceding, may vote at any election for city officers.

SEC. 4. The City Clerk shall give at least ten days' printed or written notice, and by publication in some newspaper published in Yates City, if there be a paper so published and printed there, in which shall be stated the questions to be voted upon, of any special election ordered by the City Council, to be held in Yates City.

SEC. 5. The manner of conducting any and all elections in Yates City shall be in strict conformity with the charter of said city and the laws of the State.

SEC. 6. In case any city election shall not be held on the day appointed, the City Council shall order such election to be held on some other day, as soon thereafter as is practicable, and the Clerk shall give notice thereof as required.

SEC. 7. The Judges and Clerks of Election shall receive such compensation as is granted by statute.

CHAPTER VI.

IN RELATION TO OFFICERS.

SECTION.

1. Appointment of Clerk, Treasurer, City Marshal and Street Commissioner, by City Council, at first meeting for business.
2. Appointments after first meeting.
3. City Clerk; duties of.
4. Treasurer; duties of.
5. City Marshal; duties of.
6. Street Commissioner; duties of.
7. Bonds given by city officers; condition of.

SECTION.

8. President or members of the City Council not to be received as security on bond.
9. Oath of office of city officers.
10. Removal of a city officer; notice to of charges against.
11. City officers to deliver up books etc., at expiration of term of office; penalty for failure.
12. Salary of city officers.
13. Vacancy in office; how filled.
14. Additional duties required of city officers.

SECTION 1. At their first meeting for business after their election, the City Council of Yates City shall appoint, or elect by ballot or otherwise, a City Clerk for the city, a Treasurer, City Marshal, Street Commissioner, and such other officers as may be deemed necessary under any ordinance of said city, who shall hold their respective offices for one year, and until their successors in office shall be qualified, unless sooner removed by the City Council or their offices be abolished.

SEC. 2. If any office or offices shall be created at any time after such first meeting in the year, or if the City Council should after such first meeting, desire any additional offices, or if for any reason any of the officers mentioned in the first section of this ordinance shall not be appointed at such first meeting, then the City Council may appoint any of such officers at any other meeting, and the officers thus appointed shall hold their offices until the next regular meeting of the City Council in April next ensuing their appointment, and until their successors shall be duly qualified, unless they shall be removed or their offices abolished, as provided in the preceding section, or unless the City Council, before the appointment of said officers, shall fix upon a shorter term of service, in which case their powers, duties and compensation shall cease at the time so fixed upon by the City Council. *Provided*, that no officer shall be considered appointed or elected by the City Council in pursuance of this or any other ordinance of said city, un-

less he shall receive the votes of the majority of all the members of the City Council present, and voting at the time of such appointment or election.

SEC. 3. It shall be the duty of the Clerk of said city to attend all meetings of the City Council, keep a correct journal of all its proceedings, and record the same in a book to be kept for that purpose; he shall record in a separate book all ordinances which may be passed from time to time by the City Council, and cause copies of the same to be posted in at least three of the most public places in said city, within thirty days after their passage; he shall have the custody of all papers, books, maps and documents belonging to the city, and not in the actual use of the other officers, and shall, without delay, deliver to the City Council all communications, papers or documents addressed to the same; he shall provide, at the expense of the city, all necessary books, stationery, lights and fuel for the use of the city; he shall draw up all obligations, contracts and other instruments of writing required for said city, and shall post all notices required by ordinance or action of the City Council, and superintend the printing of all ordinances, or other matter required to be printed by resolution, or order of the City Council; he shall, immediately after the last day in March in each year, make out a condensed statement of the financial affairs of the city, exhibiting the receipts and expenditures of the city during the previous fiscal year, and cause the same to be published as directed by the City Council.

SEC. 4. It shall be the duty of the Treasurer, from time to time, to receive and safely keep all moneys belonging to Yates City; to keep a correct account of the same, showing where, from whom, and on what account received, and the amount of each separate payment made to him of such moneys, by any officer of said city or other person, and giving proper receipts therefor, when required by the person paying such moneys; to pay out all such sums as may be ordered by the City Council, the vouchers, or orders therefor, being signed by the President and Clerk; but he shall, on no account, pay out any moneys belonging to said city except upon presentation of such vouchers, signed by the President and Clerk, and he shall make out a full and concise report of the moneys received and paid

out by him during the year, and hand the same to the City Clerk on or before the first day of April in each year.

SEC. 5. It shall be the duty of the City Marshal to execute all writs or other processes issued to him by the Police Magistrate of said city, or any other Justice of the Peace; to collect by execution, or otherwise, all fines, forfeitures, and penalties which may accrue to said city, not otherwise provided for by ordinance or resolution of the City Council; to diligently inquire into all violations of the ordinances of said city, violations of the criminal laws of the State, and all breaches of the peace, and to prosecute the persons guilty thereof; to ferret out all suspicious or disorderly houses in said city, and to visit all parts of the city where disturbances, breaches of the peace, or violations of any ordinance are likely to occur; to arrest without warrant any person found by him engaged in any disturbance, or in violation of any ordinance of said city; or any person alleged to be guilty thereof who may be likely to escape before a warrant can be procured; to cause to be abated all nuisances within the limits of said city, and to prosecute all persons guilty of maintaining or continuing the same; to preserve and account for all moneys, or other property, collected by him or received by virtue of his office, and pay over the same as required by law and the ordinances of said city; to preserve and safely keep all moneys or other property which may be found upon the person, in possession of, or claimed by, any person arrested for crime, and pay over, or deliver the same, by order of the Magistrate or other officer before whom such person may be tried; to pay over to the City Treasurer, at least once in every month, all moneys in his hands due said city, and to make out and deliver to the City Clerk, on or before the first day of April in each year, a report of all moneys received by him during the year by virtue of his office, and what disposition has been made of the same; and it shall be his imperative duty to be active and vigilant in the enforcement of all the provisions of the several ordinances of said city, now or hereafter to be in force, and to bring to trial every person guilty of a violation of the same.

SEC. 6. It shall be the duty of the Street Commissioner to superintend the construction of all bridges, culverts, street crossings,

and other improvements on the several streets, lanes, alleys, and public grounds in said city; to have the supervision of roads and sidewalks in said city, and more particularly to perform the duties enjoined upon him by the ordinances of said city in relation to road labor, and in relation to sidewalks.

SEC. 7. The City Treasurer, City Marshal, Street Commissioner, and such other officers as the City Council may at any time designate, by resolution or otherwise, shall each of them, before entering upon the duties of their respective offices, give a bond to Yates City, with security, as the City Council shall approve, conditioned that they will diligently and honestly perform the duties of their respective offices, according to law and the ordinances of said city, to the best of their ability, and that they will justly and fairly account for and pay over all moneys that may come into their hands by virtue of such offices, and such bonds, when approved by the City Council, shall be preserved by the City Clerk in his office.

SEC. 8. Neither the President nor any other member of the City Council shall be received or accepted as a security on any bond given to the city by any city officer, appointed or elected by the City Council, nor any other bond given to said city by any other person for any purpose whatever.

SEC. 9. Every officer of Yates City, before entering upon the discharge of his duties of the office to which he may have been elected, shall take and subscribe the following oath:

STATE OF ILLINOIS, } ss.
KNOX COUNTY.

I, ———, do solemnly swear, (or affirm), that I will support the Constitution of the United States, and the State of Illinois, and that I will diligently and faithfully perform the duties of the office of ——— Yates City, according to law and the ordinances of Yates City to the best of my ability. So help me God.

Subscribed and sworn to before me this ——— day of ——— A. D. 18—
[L. S.]

SEC. 10. Any officer elected or appointed by the City Council may, at any time, be removed by a vote of three members of the City Council, for incompetency, negligence, or violation of duty, whenever in the opinion of the City Council the interests of the city

demand such removal. *Provided*, that no officer shall be removed as aforesaid until he shall have had at least five days' notice of such intended removal, and of the charge or charges preferred against him served upon him by the President or City Clerk, and an opportunity to exculpate himself before said council.

SEC. 11. Each and every officer appointed or elected by the City Council, on his resignation, removal from office or the expiration of the term for which he shall have been elected, shall deliver up to his successor, to the President, or to the city council, all books, maps, documents and other property in his possession and belonging to the city; and any such officer who shall refuse to deliver up the same, or any portion thereof, when required, shall forfeit and pay not less than three nor more than twenty-five dollars, for each and every day he shall retain any of said property, after demand has been made therefor by any person authorized by this section to receive the same.

SEC. 12. Every officer of said city shall receive such salary, or other compensation for his services, as the city council may from time to time determine, by ordinance, resolution, or otherwise.

SEC. 13. Whenever there shall be a vacancy in any of the offices provided for in this ordinance, or any other office under the control of the city council, by reason of death, resignation, or otherwise, the city council shall proceed to fill such vacancy as soon thereafter as practicable, or as the interests of said city may seem to them to require.

SEC. 14. All the officers of Yates City, in addition to the duties prescribed in this ordinance shall perform such other services as is or may be required of them by law, the ordinances of said city, or by resolution or order of the city council.

CHAPTER VII.

IN RELATION TO THE COMPENSATION OF CITY OFFICERS.

SECTION.

1. City Council; fees of members.
2. City Clerk; fees of.
3. Treasurer; fees of.
4. City Marshal; fees of.

SECTION.

5. Street Commissioner; fees of.
6. Fees; how paid.
7. Additional compensation.
Other officers' fees.

SECTION 1. That on and after the first Monday in April, A. D. 1897, the members of the city council shall severally receive, as a salary, the sum of one dollar for each actual attendance at a meeting of the said council for the transaction of business, which sum shall be in lieu of all other compensation, except exemption from poll tax as provided in Chapter VIII, Sec. 2, of the ordinances of Yates City.

SEC. 2. The City Clerk of Yates City shall receive, as a compensation for his services, the following fees, to-wit; For attending each meeting of the city council, keeping a record of its proceedings, filing papers, drawing orders on the Treasurer, and performing all the other business incident to his office, arising at such meeting, the sum of one dollar; for recording, superintending the printing of, and posting of all ordinances ordered to be printed, fifteen cents for every one hundred words in such ordinances; for preparing written copies of ordinances, and posting the same in three public places in said city, twenty-five cents for every one hundred words; for making out poll book, tally papers, and return blanks for any election, fifty cents for each set; for making out the list of persons liable to perform road labor, two dollars; for preparing and posting notices of election, and other notices, twenty-five cents for each set; for writing each letter on business of the city, by direction of the city council, twenty-five cents; for drawing up each official oath, bond, contract, or other instrument required for said city, ten cents for every one hundred words; for making copies of any papers, documents or records in his office, and certifying the same, fifteen cents for every one hundred words, to be paid by the person applying for such copies.

SEC. 3. The Treasurer of said city shall receive, as a compensation for his services, one per centum upon all monies belonging to the city, paid out by him during his term.

SEC. 4. The City Marshal, for serving and executing any warrant, or other process, issued by the Police Magistrate of said city, or by any Justice of the Peace, shall be entitled to the same fees as are or may be allowed to constables for similar services under the laws of this State, and to be collected in the same manner.

SEC. 5. The Street Commissioner shall receive the sum of one dollar and forty cents for each day he may be actually engaged in laboring upon the streets, lanes, avenues, alleys, public grounds, sidewalks, or bridges in said city.

SEC. 6. The compensation allowed the several officers of said city, under this ordinance, shall be paid out of the city treasury, except such fees herein allowed, the payment of which is or may be otherwise provided for.

SEC. 7. The several officers mentioned in this ordinance shall receive such other fees, in addition to the compensation herein allowed, as is, or may hereafter be, authorized by any ordinance, resolution, or order of the city council, and such officers as are not herein mentioned shall be entitled to such compensation as the city council may, at any time, by ordinance or otherwise enact.

CHAPTER VIII.

IN RELATION TO ROAD AND STREET LABOR.

SECTION.

1. Road labor; how determined.
Limitation as to number of days.
2. City Clerk; list of names made by City Council exempt.
3. Street Commissioner; duty of to notify inhabitants liable.
4. Commutation paid to Street Commissioner.
5. Persons liable, failing or refus-

SECTION.

- ing to labor, or pay commutation.
6. Failing to work diligently, being disorderly, etc.
7. When Street Commissioner shall commence labor on streets.
8. Duty of Street Commissioner to expend moneys; bring suit.
9. Report of Street Commissioner.

SECTION 1. That the city council, at any meeting for business in the month of April in each year, shall, by resolution or order, to be entered upon the record of their proceedings, determine how many days, not to exceed three, every able-bodied male

inhabitant of Yates City, over the age of twenty-one years and under the age of fifty, shall be required to labor on the streets, lanes, avenues, alleys and public grounds in said city, and every such inhabitant shall perform the labor so required on said streets, avenues, alleys and public grounds under the direction and supervision of the Street Commissioner of said city.

SEC. 2. Immediately after such action of the city council, the City Clerk shall make out and deliver to the Street Commissioner a list, arranged in alphabetical order, containing the names of all persons liable to perform such road labor, then resident in said city corporation, as he may be able to ascertain. *Provided*, however, that the list shall not contain the names of the members of the city council, who are hereby exempt from such road and street labor.

SEC. 3. The Street Commissioner shall call upon the able-bodied male inhabitants named in said list, and all such as may have been omitted by the Clerk, and such others as may remove to said city and become inhabitants thereof during the year, to perform the number of days' labor required for the year, giving each person so called upon at least three days' notice of the time when and the place where such labor is required to be done, and stating what description of tools he shall bring with him, which notice may be given verbally or in writing.

SEC. 4. Any person liable to perform such road labor in said city, shall be exempt therefrom upon payment to the Street Commissioner within three days after said notice as provided in the preceding section, of one dollar for each day he may be required to labor.

SEC. 5. Every able-bodied male inhabitant of said city over the age of twenty-one years and under fifty, who shall refuse or neglect to appear and perform such labor, when so notified by the Street Commissioner, and who shall also refuse or fail to pay to that officer the commutation therefor, as provided in preceding sectionf, shall upon conviction forfeit and pay a fine of not more than three dollars for each violation.

SEC. 6. If any person shall appear, in accordance with the notice provided for in section three of this ordinance, and shall refuse or fail to work diligently eight hours each day, or shall be turbulent, or interrupt the laborers, or disobey the directions of the Street Commissioner, it shall be the duty of that officer to discharge such person from the work, and the person so discharged shall forfeit and pay one dollar for each day's labor that may then be due from him.

SEC. 7. The Street Commissioner shall commence to employ the labor herein provided for upon the several streets, lanes, avenues, alleys and public grounds in said city, as soon after the first day of May in each year as practicable, and shall continue the same, under the supervision of the committee on streets, alleys, etc., as shall appear to him proper and expedient, until all the labor required for that year has been performed.

SEC. 8. It is hereby made the duty of the Street Commissioner to expend in such manner, under the instructions of the committee on streets, alleys, etc., and as shall seem to him most advantageous, the money received by him in lieu of labor required as provided in section four of this ordinance, and such other funds as may come into his hands by virtue of his office, in improving and repairing said streets, lanes, avenues, alleys and public grounds, and the bridges, culverts and street crossings thereon; and he shall also bring suit, in the name of Yates City, against every person liable to perform road labor as herein required who shall fail to comply with the provisions of this ordinance.

SEC. 9. Whenever any person shall pay to the Street Commissioner the commutation in section four of this ordinance, or shall render the amount of street labor required of him for any one year, in accordance with section three of this ordinance, it shall be the duty of the said Street Commissioner to give to each and every person so paying or laboring, a receipt specifying the amount of money received or labor performed, and the date thereof, also the object for which money was paid or labor performed; and on the first day of April in each year to file in the office of the City Clerk a report, setting forth substantially the facts contained in each receipt opposite the name of the person to whom the same was given.

CHAPTER IX.

GENERAL LICENSES.

SECTION.

1. Public entertainments, lectures, or other exhibition or amusement, shows, legerdemain, circuses, menageries, wax figures, statuary, panoramas, curiosities, theatres, musical entertainments, concerts; license of.
2. Hawkers, peddlers, auctioneers, etc.; license of.

SECTION.

3. Billiard tables, bowling alleys; license of.
4. Druggists; restrictions over.
5. Clerks, etc.; violating chapter guilty with employer.
6. Licenses; how issued; license fees.
7. Condition of license.

SECTION 1. It shall not be lawful for any person, company or association in the City of Yates City to give any public entertainment, lecture or other exhibition or amusement, exhibit any show, legerdemain, circus, menagerie, wax figures, statuary, panorama, curiosities, or other things, nor to perform any feats or tricks, such as circus riding, vaulting, tumbling, dancing, gymnastic exercises, or other things of a like nature, nor to give any theatrical or musical entertainments, concerts, or other performances of the kind, nor to perform any sleight of hand with cards, cups, balls or other devices, nor to give any exhibition, show or entertainment of any kind whatever, where money is charged or solicited for hearing, seeing, or being admitted to the same, without first obtaining a license so to do as hereinafter provided; and any person convicted of a violation of any provision of this section shall forfeit and pay not less than five nor more than one hundred dollars for each offense: *Provided*, that the requirements of this section shall not apply to musical parties, concerts, or other entertainments given by any person or persons exclusively for the benefit of any religious or charitable purpose.

SEC. 2. It shall not be lawful for any person, except officers of the law in the discharge of their official duties, to hawk, peddle, sell at auction or retail, from any stand, or table, in any public place, or to cry or offer for sale in said village, any goods, chattels, wares, merchandise, books, jewelry, fruit or other property or thing whatsoever without first obtaining a license for that purpose, as hereinafter provided; any person violating any provision of this

section shall upon conviction forfeit and pay not less than three nor more than fifty dollars for each offense.

SEC. 3. It shall not be lawful for any person in said City of Yates City to keep a billiard or other table of a like nature, bowling or ten pin alley, without first obtaining a license for that purpose as hereinafter provided in such sum as may be hereafter ordered by the city council; and any person violating any provision of this section shall upon conviction forfeit and pay not less than five nor more than twenty-five dollars for each offense.

SEC. 4. License to druggists within the village shall only be allowed when the business is chiefly in the sale of drugs, and shall authorize the sale in good faith of spiritous, vinous, fermented or alcoholic liquors for sacramental, medicinal, mechanical and chemical purposes, and for no other purpose whatever.

SEC. 5. All persons whether acting as clerks, agents, servants, or otherwise, in the doing of any business for which a license is required, who shall knowingly engage therein, or do any such acts unless their principal has a license therefor duly granted, shall be deemed equally guilty as the proprietor or employer of such agent, clerk or servant.

SEC. 6. All licenses hereby authorized shall be issued by the Village Clerk and countersigned by the President; and in case of the absence or disability of the Clerk, shall be issued by the President, and countersigned by any member of the Board of Trustees on payment to him of fifty cents for making out the same, and the following amounts as license fees, to-wit:

First. By circus companies, their agents or managers, to exhibit one day, ten dollars; each additional day, five dollars.

Second. (a) All shows, concerts, exhibitions and entertainments in any room or hall, charging an admission fee of not exceeding fifteen cents, a license fee of one dollar per day, or two dollars and a half for three consecutive days, or four dollars per week.

(b) All shows, concerts, exhibitions and entertainments in any room or hall, charging an admission fee not exceeding twenty-five

cents, including the price of reserved seats, a license fee of one dollar and a half per day, or three dollars and a half for three consecutive days, or five dollars per week.

(c) All shows, concerts, exhibitions and entertainments in any room or hall, charging an admission fee in excess of twenty-five cents, including the price of reserved seats, a license fee of two dollars per day, or four dollars and a half for three consecutive days, or seven dollars and a half per week.

Third. By auctioneers of dry-goods, notions, general merchandise or other wares, to sell one day ten dollars, and for each additional day five dollars.

Fourth. By hawkers, peddlers on foot, and retailers from stands or stalls, to sell one day, one dollar; for each additional day, seventy-five cents and fifty dollars per year. Peddlers and others hawking and selling from house to house with wagon and single or double team, one dollar and a half per day; twenty-five dollars per month, or one hundred and fifty dollars per year.

Fifth. By druggists, fifty dollars per year,

SEC. 7. All persons taking out a license under this ordinance shall be subject to and governed by all other ordinances and laws of said City then in force, and no person shall be deemed to be duly licensed under this ordinance until he shall have paid the fees hereby required for the same, and actually received such license from the proper officer.

SEC. 8. Any person violating any provision of this chapter for violating which no penalty has been specifically fixed shall be subject to a penalty of not less than three dollars.

CHAPTER X.

IN RELATION TO DRAYS, HACKS, EXPRESS WAGONS, ETC.

SECTION.

1. Hacks, express wagons, and other vehicles; license of; penalty for running without license.

SECTION.

2. Draymen; restrictions over.
3. License; by whom.

SECTION 1. It shall not be lawful for any person to run a dray, hack, express or other wagon, or other vehicle for the carriage of goods, wares, merchandise or other articles, for which money is charged or received, without first having obtained a license for that purpose as hereinafter provided; and any person violating any provision of this section shall upon conviction thereof forfeit and pay not less than five nor more than twenty dollars for each offense.

SEC. 2. Licensed draymen may charge for carrying articles, including the loading and unloading thereof, the following rates, viz: For distances not exceeding one mile, for a parcel or package weighing not more than two hundred pounds, twenty-five cents, and not to exceed fifty cents for a full load; for distances exceeding one mile, for a parcel or package weighing not more than two hundred pounds, thirty-five cents, and not to exceed seventy-five cents for a full load. For moving pianos or other goods requiring special apparatus, or special care over and above the care required for household goods, or requiring the services of a helper or for services other than the loading, hauling and unloading, additional charges may be made by fixing the same before doing the work.

SEC. 3. All licenses granted by virtue of this ordinance shall be issued by the City Clerk and signed by the President, upon payment to the former of fifty cents as a recording fee, and such license fee as may hereafter be ordered by the city council.

CHAPTER XI.

IN RELATION TO RAILROADS.

SECTION.

1. Speed of trains through corporate limits not to exceed ten miles per hour. Train not to be left standing on crossings an unreasonable length of time. Wilfully or carelessly frightening teams, etc. Pen-

SECTION.

- alty for violation of this section.
2. Climbing upon cars, engines etc., without consent of managers thereof; penalty therefor.

SECTION 1. If any railroad company, conductor, engineer, or other employee of a railroad company, or other person managing or controlling any engine, car, or train, shall, within the corporate limits of Yates City, run, or suffer or permit to be run, any such engine, car or train, upon any railroad track at a speed exceeding ten miles per hour, or shall leave, place, or permit to be left or placed, any engine or car upon any street at the crossing of said railroad track, and thereby obstruct the free passageway thereat for any longer or greater time than is reasonably sufficient, by prompt and diligent attention and labor in the discharge of the business then doing or to be done, by and with such engine or car, to remove the same out of the way of such crossing, or shall, by a willful or careless use of such engine or car, or of any locomotive whistle, or other alarm or noise, run upon, injure or frighten any team, or animal then being ridden, led or driven at or upon any street or highway, such person so offending shall be subject to a penalty of not less than three nor more than fifty dollars for each offence so committed.

SEC. 2. Whoever shall interfere with, climb upon, cross over, or hang upon, for the purpose of amusement or mischief, any railroad engine or car, while the same is standing still, without the consent of the engineer of such engine, or the conductor of the train, or some other person in charge of such engine or car, or shall climb or hang upon, or in any way interfere with such engine or car, while in motion, for amusement or any other purpose than the management thereof, by the person or persons in charge thereof, shall be subject to a penalty of not less than three nor more than fifty dollars for each offense.

CHAPTER XII.

IN RELATION TO DRAM SHOPS.

SECTION 1. Whoever not having a license to keep a dram-shop shall by himself, or another, as principal, agent, clerk or servant, directly or indirectly sell any intoxicating liquors in any less quantity than one gallon or in any quantity to be drank upon the premises, or in or upon any adjacent room, building, yard, premises or place, or place of public resort, or whoever having such license shall sell any intoxicating liquors contrary to the condition of such license, shall be subject to a penalty of not less than fifty dollars for each and every offense.

SEC. 2. Before such license shall issue application shall be made to the city council in writing, stating particularly the time for which such license is desired, and the place where it is intended to locate the dram shop for which said license is sought; designating the room where said dram-shop is to be located; such application shall be accompanied by a bond in the penal sum of three thousand dollars, payable to the People of the State of Illinois, with at least two good and sufficient sureties, free-holders of the County of Knox, to be approved by the city council and conditioned that such applicant will pay to all persons, all damages that they may sustain, either in person or property or means of support by reason of the person so obtaining a license, selling or giving away intoxicating liquors. The sum to be paid for such license shall be at the rate of five hundred dollars per annum or more at the option of the city council, and shall be paid semi-annually in advance, the applicant giving note with security to be approved by the City Treasurer for the deferred payment, and all such licenses shall expire on the 15th day of April of each year, but no license shall be granted for a less period than one year, or the unexpired portion of the year; a failure to make the deferred payment shall operate as a revocation of the license.

SEC. 3. No license granted under this chapter shall be transferable or assignable; no portion of any money paid to the city for such license shall be refunded; nor shall any person be permitted to occupy more than one room in carrying on his business

under said license ; and no room thus used as a dram shop shall be connected with any other room by means of any opening, window, stair-way, dummy, dumb-waiter, or in any manner whatever, except it be with a room or place situated on the same floor as said dram-shop, and which shall be plainly open to view from the public street, as provided in Section 8 of this Chapter ; *Provided*, however, that the room or place thus permitted to be connected with the dram-shop, shall not be connected with any other room or place by means of any opening, window, door, stair-way, dummy, dumb-waiter, or in any manner whatever, nor shall any intoxicating liquors be sold, delivered or drank in such room.

SEC. 4. Whoever, with or without a license, by himself, his agent, clerk, or servant, shall sell or give away any intoxicating liquor to any minor without the written order of the parent, or guardian, first obtained, or to any person intoxicated, or who is in the habit of getting intoxicated, shall for each offense be subject to a penalty of not less than twenty dollars nor more than one hundred dollars.

SEC. 5. The giving away of intoxicating liquors, or other shifts or device to evade the provisions of this chapter, shall be held to be an unlawful selling.

SEC. 6. It shall not be lawful for the keeper or proprietor of any dram-shop, to keep said dram-shop open or allow any drinking therein on Sunday, nor on the day of any general election, nor after ten o'clock at night, nor before six o'clock in the morning.

SEC. 7. It shall not be lawful for the keeper or proprietor of any dram-shop to permit any cards, dice, dominoes, or any other game or games to be played in his dram-shop or in any room adjacent thereto, or in any room connected therewith.

SEC. 8. It shall not be lawful in the room where such dram-shop is located to obstruct or prevent the full view of said room from the public street by means of any screen, frosted windows, window blinds, curtains, partitions, or any other object whatever, but the entire room where such liquor is sold or drank shall be plainly visible at all times, by day and by night from the public streets, and shall

at all times be accessible to the police and to the members of the city council.

SEC. 9. In all prosecutions under this chapter, it shall not be necessary to state the kind of liquor sold, nor describe the place where sold, nor show the knowledge of the principal to convict for the acts of an agent, clerk or servant.

SEC. 10. The President of the city council shall have power to suspend for a stated period, or to revoke any license granted under this chapter for non-compliance with, or a violation of any provision of this chapter, and it shall be the duty of the President of the city council at its next meeting, either regular or special, to report such suspension or revocation, with his reason therefor, and the council shall thereupon affirm or reject such suspension or revocation.

SEC. 11. The granting or refusing of dram shop license shall always remain within the discretion of the city council.

SEC. 12. Any person violating any section of this chapter shall be subject to a penalty of not less than twenty dollars.

CHAPTER XIII.

IN RELATION TO DOGS RUNNING AT LARGE.

SECTION.

1. Dogs and sluts running at large; duty of owners.
2. City Clerk to give certificate of registry; treasurer to countersign.
3. Dogs and sluts running at large may be killed.

SECTION.

4. Penalty for permitting fierce dogs to run at large; City Marshal to slay the same.
5. Mad dogs.
6. Female dogs not to run at large during heat; penalty for allowing. Dog killed.

SECTION 1. No dog or slut within the city of Yates City shall run at large within the said limits unless the owner thereof shall put upon the neck of such dog or slut a collar made of metal, or a collar having a metallic plate affixed thereto, on which the name of the owner shall be inscribed in plain letters; and unless such owner shall also give his name and a description of such dog or slut to

the City Clerk (who shall register the same in a book kept for that purpose,) and shall at the same time pay to the City Treasurer a tax of one dollar for each and every dog, and two dollars for each and every slut by him kept and suffered to run at large, and shall annually thereafter register and pay the like amount for each and every dog or slut so kept, which money shall be received into the city treasury for the use of the city; and every dog or slut running at large contrary to the provisions of this chapter shall be deemed a nuisance, and the owner thereof shall, upon conviction, forfeit and pay a fine of not less than three nor more than ten dollars for each offense.

SEC. 2. Upon the registry of such dog or slut by the owner thereof, the City Clerk shall give a certificate describing the animal, which certificate shall be in the following form, to-wit

I, A.....B....., Clerk of the city of Yates City, do hereby certify that.....has this day registered in my office a dog (or slut as the case may be,) of the following description: (here describe the animal) and has paid into the city treasury the sum of dollars. Dated Yates City,18...

Which certificate shall be countersigned by the City Treasurer and shall be evidence of the payment of the money as therein specified.

SEC. 3. Every dog or slut running at large contrary to the provisions of this chapter, any dog or slut found trespassing upon private premises, or worrying any animal belonging to any person at any place where the same may lawfully be, or attacking and attempting to injure any person or frighten any team passing, or being upon any street or other public place in the city of Yates City, may be then and there lawfully killed by any person: *Provided*, that no dog or slut brought into the city by any person not a resident thereof shall be subject to the first section of this chapter, until such dog or slut shall have been in the city at least three days.

SEC. 4. No person shall permit any fierce or dangerous dog or slut to run at large within the limits of the city of Yates City, and every person so offending shall upon conviction, forfeit and pay a fine of not less than three nor more than twenty-five dol-

lars for each offense, and it shall be the duty of the City Marshal to cause such dog to be removed and slain.

SEC. 5. The President may, from time to time, on an alarm of "mad dog," in his discretion, prohibit, by notices posted in three of the most public places in Yates City, all dogs from running at large within the limits of said city, and after such notice given, it shall be the duty of the City Marshal to kill all dogs found running at large within said city; and such prohibition shall remain in force until the President shall give notice, as aforesaid, of the discontinuance thereof.

SEC. 6. It shall not be lawful for the owner of any female dog to permit such dog to run or go at large while she is in heat, and every such dog so running at large within the limits of Yates City is hereby declared a nuisance, and the owner of the same shall, upon conviction, forfeit and pay not less than one nor more than twenty dollars for each offense; and it shall be the duty of the City Marshal to cause every such dog so found running at large to be slain and buried.

CHAPTER XIV.

IN RELATION TO MISDEMEANORS AFFECTING THE PUBLIC PEACE AND ORDER.

SECTION.

1. Disturbing the peace of neighborhood, etc.
2. Tumults, riots, indecent conduct, etc.; affrays, assaults, assault and battery.
3. Dog fighting; persons liable for encouragement of.
4. Abuse of animals.
5. Countenancing or encouraging abuse of animals.
6. Disturbing religious congregations.
7. Disturbing a lawful assembly.
8. Sunday; pursuit of ordinary business thereon.
9. Amusements on Sunday.
10. Lewd conduct, lewd books, plays, etc.
11. Indecent exposure of horses, jacks, etc.
12. Drunkenness.

SECTION.

13. Bill posting without permission.
14. Bawdy houses, houses of ill fame, or assignation.
15. Frequenting bawdy houses, houses of ill-fame, or assignation.
16. Gambling house, table room, alley, etc.; penalty.
17. Sleight of hand performance, and trick with cards, dice, balls, numbers, figures, etc., or any dishonest or fraudulent instrument for money; penalty therefor.
18. Unlawful assembly, rout, riot.
19. Malicious mischief.
20. Trespass; pilfering.
21. Rapid or immoderate riding or driving.

SECTION 1. It shall not be lawful for any person or persons within Yates City, to disturb the peace of any street, lane, avenue, alley, square, neighborhood, family or persons, by loud or unusual noises; or by blowing of horns, trumpets, or other instruments, or by ringing of bells, or by beating of drums, tambourines, kettles, pans, or other sounding vessels or implements, or by loud or boisterous laughing, or by singing, bellowing, whooping, screaming, halloing, scolding, traducing, threatening, quarreling, swearing, cursing, challenging to fight, uttering loud or obscene language or conversation, or by creating false alarms, as by crying "fire," or "watch;" nor shall any person or persons disturb the peace as aforesaid, by any other devices or means whatever; and every person convicted of any of the offenses enumerated in this section shall forfeit and pay a sum not less than three nor more than fifty dollars for each offense.

SEC. 2. It shall not be lawful for any person within Yates City to conduct himself in a tumultuous, riotous, indecent, disorderly or

offensive manner ; nor shall it be lawful for any person within said Yates City to fight by agreement, nor to strike, fight, or assault any other person, nor to commit an assault and battery upon the person of another ; and every person convicted of a violation of the provisions of this section, shall be fined in any sum not less than three nor more than fifty dollars for each offense.

SEC. 3. If any person shall be present at any dog fight within Yates City, when the animals accidentally meet, and shall by any gesture or words of encouragement urge the dogs to fight, or if any person shall set any dog or dogs to fighting, in Yates City, or encourage the same after they have commenced fighting, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall pay a fine of not less than one dollar nor more twenty dollars for each offense ; and it is hereby made the duty of the President, City Marshal, and any watchman appointed by the President, to suppress all such dog fights, and to arrest and prosecute all persons engaged in inciting or urging such dogs to fight as aforesaid.

SEC. 4. It shall not be lawful for any person in said Yates City to inhumanely, unmercifully or cruelly, treat, injure, or otherwise abuse any animal ; and every person violating this section shall, upon conviction, forfeit and pay not less than three nor more than fifty dollars for each offense.

SEC. 5. Any person who shall suffer any of the offenses enumerated in the foregoing sections of this ordinance to be committed in, or upon, or about any house or premises owned or occupied, possessed or controlled by him, or any person who shall be present at the commission of any of the offenses aforesaid, and shall by word, act or gesture, encourage, aid, abet or assist, any person engaged in the commission thereof, shall be adjudged guilty of a misdemeanor, and shall be fined in any sum not exceeding fifty dollars nor less than three dollars for each offense.

SEC. 6. Whoever shall, within the limits of the said Yates City, disquiet or disturb any congregation or assembly met for religious worship, by making a noise of any kind, or by any rude, indecent, or disorderly behavior, or profane language, within their place of worship, or so near the same as to disturb the order or

solemnity of the meeting, shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall forfeit and pay a sum not less than three nor more than fifty dollars for each offense.

SEC. 7. Whoever shall, in said Yates City, disturb or disquiet any lawful assemblage or association of people, by any rude, noisy or indecent behavior, or by any other means, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than three nor more than fifty dollars for each offense.

SEC. 8. It shall not be lawful for any person in said Yates City, on Sundays, to engage in any ordinary labor, trade or business, or to keep open any house of trade, shop, or place of business or amusement, except in cases of necessity; and every person convicted of a violation of this section, shall forfeit and pay a sum of not less than three dollars, nor more than fifty dollars, for each offense.

SEC. 9. It shall not be lawful for any person in said Yates City, to engage on Sunday in the amusement or exercise of dancing, fiddling, singing songs, jumping, drilling, skating, running foot races, running horses, playing ball, ten-pins, billiards, cards, marbles, or other games; wrestling, boxing, pitching, hunting, or amusements or exercises of the like nature; and every person convicted of any of the offenses enumerated in this section, shall forfeit and pay a sum not less than three dollars, nor more than fifty dollars for each offense.

SEC. 10. Whoever, in said Yates City, shall appear in any place in a state of nudity, or in a dress not belonging to his or her sex, or in an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any indecent acts or behavior, or shall exhibit, sell, or offer to sell or dispose of in any manner, any indecent or lewd books, pictures, or other thing, or shall exhibit or perform any indecent, immoral or lewd play or representation, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than three nor more than fifty dollars for each offense.

SEC. 11. No person in said Yates City shall indecently exhibit any horse, or jack, or bull, or let any horse or jack or bull to mares

or jennets, or cows, unless in some enclosed place and entirely out of public view, and any person violating this section shall forfeit and pay a sum not less than three dollars, nor more than fifty dollars, for each offense.

SEC. 12. Every person who shall be found drunk, intoxicated or asleep, in or upon any street, alley, public square, or public place in said Yates City, or in or upon any private lot or premises, without the consent of the occupant thereof, shall be deemed guilty of a misdemeanor, and upon conviction shall forfeit and pay not less than three dollars, nor more than fifty dollars, for each offense.

SEC. 13. It shall not be lawful for any person in said Yates City to stick, paste, put up, or place upon or against any building, tenement, fence, wall, or other place, any hand bill, show bill, picture, or representation, unless by the consent of the owner or occupant of such building, tenement, fence, wall or place; nor shall it be lawful for any person in said Yates City to stick, paste, put up, or place upon, or against any building, tenement, fence, wall, or any other public place, any gross, indecent or lewd, written or printed hand bill, picture, advertisement, or notice of his professional skill, or of his remedies for the cure of what are called secret diseases; and every person violating this section shall, upon conviction thereof, forfeit and pay any sum not less than three nor more than fifty dollars for each offense.

SEC. 14. It shall not be lawful for any person to keep or maintain, within the limits of said Yates City, a bawdy house, or house of ill fame, or houses of assignation, or any other building or place wherein indecent or lewd practices are indulged in or permitted; and every person convicted of a violation of the provisions of this section shall be fined in any sum not less than twenty-five dollars, nor more than one hundred dollars, for each offense; and every person who is harbored or stays in such house or place, shall be presumed to be the keeper of the same, and shall be liable to the prosecution and the penalty in this section provided for such keeper.

SEC. 15. It shall not be lawful for any person within said Yates City to frequent or remain at any bawdy house, house of ill fame, house of assignation, or any other building or place wherein inde-

cent or lewd practices are indulged in or permitted, and every person convicted of any violation of this section shall be fined not less than three dollars, nor more than fifty dollars, for each offense.

SEC. 16. Whoever shall, in said Yates City, set up or keep any gaming house, table, room, alley or place whatsoever, or any gambling device, either by himself, servant, or other agent, at which any game of chance shall be played for money or property, or anything representing money or property, or shall suffer or permit any such house, table, room, alley, place, or gambling device at which any game of chance is so played, to be set up, or used in or about any tenement or building in his possession, or under his control, for the purpose of gain or profit, or shall permit persons to gamble or play at, in or upon any such house, table, room, alley, place or device, for money, or for any other other valuable thing, or representation of money or value, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be fined in any sum not less than ten dollars, nor more than one hundred dollars, for each offense.

SEC. 17. It shall not be lawful for any person in said Yates City to perform or play any trick, sleight of hand, or anything of a like nature, with cards, dice, balls, thimbles, figures, numbers, or characters, or with any dishonest or fraudulent instrument, apparatus, device or thing, where persons are invited, requested, or induced to bet, loan, deposit or stake money or other property, or anything representing money or property, upon the result of such tricks, or the turning or placing of any such instrument, apparatus or device, or of any figure, letter, number, character, attached to or played upon any such instrument or apparatus, or by any person, and every person convicted of any offense prohibited by this section, shall forfeit and pay a sum not less than five dollars nor more than fifty dollars for each offense.

SEC. 18. It shall not be lawful for any person or persons, in said Yates City, to intrude in a noisy or tumultuous, nor in a secret or clandestine manner, into or upon any public or private buildings, place or premises, or to congregate in, upon or about any such building, place or premises, at any time, for any tumultuous, disor-

derly, secret, nefarious, or other unlawful purpose ; and any person or persons found lurking in, upon, or about any such building, place or premises, without the consent of the owner or occupant thereof, or in a secret, clandestine, or suspicious manner, or congregated in, upon or about any such building, place or premises, in violation of the provisions of this section, shall each of them be deemed guilty of misdemeanor, and, upon conviction, shall be fined in any sum not less than three dollars nor more than fifty dollars for each offense.

SEC. 19. It shall not be lawful for any person in Yates City to commit any wanton injury to public or private property, by breaking, cutting or otherwise defacing or damaging any fence, building or structure, by girdling, cutting, tramping or otherwise injuring any tree, shrub, hedge, garden or grounds of any private person, nor by any means whatever to deface, damage, injure or destroy any species of public or private property, excepting the same be done by or under the direction of a proper officer in the discharge of his duty according to law ; and every person convicted of any violation of any provisions of this section shall forfeit and pay a sum not less than three dollars nor more than fifty dollars for each offense.

SEC. 20. It shall not be lawful for any person in said Yates City to enter any store, house or other building, any orchard, garden or other grounds, or any private or public place or premises whatever, and take therefrom, without the consent of the owner, any merchandise, furniture, machinery, fruit, produce, or any other property of any kind whatever ; and every person convicted of a violation of this section shall be fined in a sum not less than three dollars nor more than fifty dollars for each offense. *Provided*, that this section shall not apply to any officer in the discharge of his official duty.

SEC. 21. Whoever shall rapidly or immoderately ride or drive any horse or mule or other domestic animal, or any team, in any street in Yates City, may be stopped by any person, and shall be stopped by any police officer, and shall moreover be subject to a penalty of not less than three dollars.

CHAPTER XV.

IN RELATION TO MISDEMEANORS AFFECTING THE PUBLIC SAFETY
AND CONVENIENCE.

SECTION.

1. Driving horses, teams, etc., over sidewalks, gutters, etc.; penalty therefor.
2. Hitching animals to trees, fences, etc.; cutting or otherwise injuring trees or fences; obstructing sidewalks; penalty therefor.
3. Obstruction of sidewalk by auctioneers and others; penalty therefor.
4. Depositing in the streets, alleys, avenues, public grounds, etc., any lumber, wood, coal, ashes, etc.; penalty therefor.
5. Persons building may use street, etc., adjoining, on conditions; penalty for violation of conditions.
6. Removing earth from streets, alleys, etc.; penalty therefor.
7. Holes dug in the streets, alleys, etc., by permission of authorities; duty of person digging to fence; penalty for failing to do so.

SECTION.

8. Obstructing in any manner any gutter, sidewalk or pavement; penalty therefor.
9. Merchants may occupy three feet of sidewalk to expose wares, but not for depositing empty boxes, nor to suspend goods over sidewalks more than two feet; penalty therefor.
10. Persons owning lots to keep sidewalks in front of clear; penalty for failure.
11. Depositing rubbish near public wells, etc.; penalty therefor.
12. Riding bicycle upon sidewalk prohibited.
13. Use of rubber guns prohibited; penalty.
14. Killing or maiming of wild birds prohibited; penalty.
15. Selling of slung shot, metallic knuckles, etc., prohibited; penalty.
16. Carrying concealed weapons prohibited; penalty.

SECTION 1. Any person who shall ride upon, over or across, or drive or cause to pass over, along or across, any improved or unimproved sidewalk, or any paved gutter in said city, any horse, mule, jack, team, wagon, dray, cart, sled, carriage, or other vehicle, or any timber or other material drawn by any horse, horses, mules, or other animals, except at the proper crossings, places at the intersection of the streets and alleys, shall, upon conviction, forfeit and pay not less than one dollar, nor more than twenty dollars, for each offense. *Provided*, that any occupant of any yard, lot or warehouse, may have access to the same over such sidewalk or gutter, by placing in front of such lot, yard or warehouse, at his own expense,

subject to the supervision or direction of the Street Commissioner, a suitable bridge or carriage way over such gutter, and extra planking over such sidewalk, in such manner as will preserve the same from injury or obstruction.

SEC. 2. It shall not be lawful for any person in said city to hitch, fasten or tie any horse, mule or other animal, to any shade or ornamental tree, or the boxing or railing around the same, which may be standing or growing on or near any sidewalk, or in or about any of the public squares or grounds, nor to hitch, tie, or fasten, any horse, mule or other animal, to the fence around such public square or grounds; nor shall it be lawful for any person in said city to injure, cut or deface the fence around any public square or grounds, or to cut, girdle, injure or destroy any tree growing on any square, public grounds, or upon any street, alley or sidewalk; nor shall it be lawful for any person in said city to place, fasten, leave standing or tie any horse, or other animal, on any sidewalk, to any fence, or to anything in such a way that said horse or other animal, the vehicle, reins or line, shall occupy or obstruct the free use of any sidewalk; and any person convicted of a violation of any of the provisions of this section, shall forfeit and pay not less than one dollar, nor more than twenty dollars, for each offense.

SEC. 3. It shall not be lawful for any person or persons, at any auction or elsewhere, to occupy or encumber any sidewalk, street or alley, in said city, by standing, sitting or remaining upon the same, so as to prevent or obstruct the free or convenient passage of persons along or across any of said sidewalks, streets or alleys; and any person convicted of any violation of this section, shall forfeit and pay not less than one dollar, nor more than twenty dollars, for each offense.

SEC. 4. It shall not be lawful for any person to place or deposit, or cause to be placed or deposited, in or upon any of the streets, lanes, avenues, alleys, sidewalks or public grounds, in said city, any timber, lumber, wood, coal, ashes, lime, brick, earth, stone, brush, shavings, chips, broken glass or crockery, tin chippings, manure, rubbish, boxes, crates, barrels, filth, or any other article, thing or commodity, which may in any manner or to any extent occupy, obstruct or encumber any of the said streets, lanes, avenues, alleys,

sidewalks or public grounds, or any part thereof; *Provided*, that earth, ashes or other substances, may be deposited on any of such streets, alleys or public places, with the consent and under the direction of the Street Commissioner, and where the same is done for the purpose of improving any such street, alley or public place; and any person convicted of a violation of any of the provisions of this section, shall be fined in any sum not less than one dollar, nor more than twenty dollars, for each offense.

SEC. 5. When any person shall be about to build or repair any house, or other building or improvement, in said city, and shall not have sufficient or convenient ground whereon to place the necessary materials for such building or improvement, such material may be compactly piled or placed on the nearest part of the street, alley or public place adjoining, in such a manner as to occupy as little room as possible, and so as not to encumber, obstruct or occupy, at any time, more than one-half of any such street or alley in front or rear of any such house, building or improvement; *Provided*, that all such materials and every part thereof shall be removed by the owner, holder or agent of any such premises, as soon as the same shall cease to be needed or used in the construction of such building or improvement, or they shall be removed at any time when, in the opinion of the President or Street Commissioner, it shall be thought necessary, or when in their opinion, they have remained an unreasonable time; any person failing, refusing or neglecting to remove the same when notified by the President, Street Commissioner or City Marshal, so to do, shall, upon conviction thereof, forfeit and pay not less than one dollar, nor more than twenty dollars, for each failure, refusal or neglect.

SEC. 6. It shall not be lawful for any person to dig or remove any sand, clay or earth from any street, lane, avenue, alley, public ground or sidewalk in said city, nor shall any person by digging, plowing, or by any other means, make or cause to be made, any hole, pit, ditch, vault or other excavation, in any of such streets, lanes, avenues, alleys, public grounds or sidewalks, without permission from the Street Commissioner of said city; and any person convicted of a violation of this section shall be fined in any sum not less than one dollar, nor more than twenty dollars, for each offense.

SEC. 7. Every person who shall, by permission of the Street Commissioner, as provided in the preceding section, dig, make, or cause to be dug or made, any hole, pit, ditch, vault, or other excavation, on or in any street, alley, avenue, sidewalk or public place, in said city, or shall, without such permission, dig, make, or cause to be dug or made, any excavation upon any lot adjoining, or bounded by any such street, lane, avenue, alley, sidewalk or other public place, and who shall not, during the night, cause the same to be enclosed, or fenced in with a substantial fence at least three feet high, shall be deemed guilty of a misdemeanor, and upon conviction shall forfeit and pay not less than one dollar, nor more than twenty dollars, for each offense.

SEC. 8. Any person who shall in any way or manner, injure or obstruct any paved or otherwise improved gutter, pavement, curbing or improved sidewalk, in said city, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall forfeit and pay not less than one dollar, nor more than twenty dollars, for each offense.

SEC. 9. It shall be lawful for merchants, store-keepers and traders in said city to use and occupy three feet, and no more, of the sidewalk in front or rear of their respective premises, extending from the outer line of the street, or from the building occupied by them, for the purpose of exhibiting and exposing their goods, wares or merchandise for sale; *Providea*, that no portion of said three feet shall be occupied by empty boxes, barrels, crates, casks or other rubbish, to obstruct said sidewalk, as provided in section four of this ordinance. It shall not be lawful for any such merchant, or any other person, to suspend any article of merchandise, or any other commodity or thing whatever, over any such sidewalk, nor in front or rear of any building on the line of such sidewalk, so that such article or thing shall project over such sidewalk further than two feet from such building; nor shall it be lawful for any auctioneer, or other person, to cry or offer for sale any merchandise or property of any kind upon any sidewalk or crossing, so as to obstruct the free and convenient passage of persons along or across such sidewalk or crossing; and every person convicted of a violation of any of the provisions of this section, shall forfeit and pay a sum not less than one dollar, nor more than twenty dollars, for each offense.

SEC. 10. Every person occupying or holding any lot or part of lot in said city, shall at all times keep the improved sidewalk in front thereof clean and in good order, and the gutters adjoining the same free from every obstruction or inconvenience, and after a fall of snow shall cause the same to be removed from such sidewalk into the carriage way or streets and every person failing to comply with the requirements of this section shall, upon conviction, forfeit and pay not less than one dollar, nor more than twenty dollars, for each offense.

SEC. 11. It shall not be lawful for any person to place, throw or deposit in or about any public well or cistern in said city, any stone, earth, rubbish, filth, slops or any offensive substance or thing which might in any manner render the water therein impure or unhealthy; nor shall it be lawful for any person to break, injure, remove or destroy any bucket, pump, rope, curb, or other fixture, or anything belonging or attached to any such well or cistern; and every person violating any of the provisions of this section shall, upon conviction, forfeit and pay not less than one dollar, nor more than twenty dollars, for each offense.

SEC. 12. Any person who shall ride any bicycle or velocipede upon any sidewalk in Yates City, shall, upon conviction, forfeit and pay not less than three dollars for each offense.

SEC. 13. Whoever shall discharge any stones, shot or other missile from any instrument known as or in the nature of a rubber gun, shall, upon conviction, forfeit and pay not less than three dollars for each offense.

SEC. 14. Whoever within Yates City shall, by the use of fire arms, air guns, or any instrument whatsoever, kill or maim any wild bird, or rob the nest of any such bird, not commonly known as a game bird, shall be subject to a penalty of not less than three dollars for each offense; *Provided*, it shall be no violation of this section to kill with fire arms the bird known as the English sparrow.

SEC. 15. Whosoever shall have in his possession, or sell, give away, loan, hire, or barter, or whoever shall offer to sell, give away, loan, hire or barter to any person within the corporate limits of Yates City any slung shot, metallic knuckles or other deadly weapon

of like or similar character, or any person in whose possession such weapons shall be found, shall be guilty of a misdemeanor, and shall, upon conviction, be fined in any sum not less than ten dollars nor more than one hundred dollars for each offense.

SEC. 16. Whoever shall carry a concealed weapon upon or about his person of the character described in the last preceding section, or whoever shall display or flourish any deadly weapon or razor in a threatening or boisterous manner, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than twenty-five dollars, nor more than one hundred dollars, for each offense; *Providea*, however, that this ordinance shall not apply to the City Marshal or to any other officer duly authorized to conserve the peace, or to any person duly deputized or summoned to assist said officer in making arrests.

CHAPTER XVI.

IN RELATION TO NUISANCES AFFECTING THE PUBLIC HEALTH.

SECTION.

1. Privies to tenements; cleanliness thereof; failure to provide; penalty therefor; nuisance.
2. Depositing offal, etc.; penalty therefor.
3. Slaughter houses, etc.; penalty for maintaining; permit to maintain upon conditions; non-compliance with conditions; revocation of permit.
4. Depositing dead animals: penalty therefor.
5. Duty of owners of dead animals, or persons having control thereof, to bury the

SECTION.

- same; penalty for failure thereof.
6. Persons owning premises on which dead animals are found; duty to bury the same; penalty for failure thereof.
7. Duty of City Marshal to bury dead animals at expense of city, on complaint made; general duty of City Marshal in relation to dead animals; persons failing to abate nuisance, upon conviction further prosecution therefor?

SECTION 1. Each and every tenement in Yates City used as a dwelling house, shall be furnished with a suitable privy, which shall be kept in such condition that no smell shall arise therefrom offensive to any portion of the inhabitants of said city; and if the owner of any such tenement, his agent, or the occupant thereof,

shall refuse or fail to provide such suitable privy, any or all of them shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall forfeit and pay a sum not less than three nor more than ten dollars; and if such privy shall be kept in such condition that the smell arising therefrom shall be offensive to any portion of said inhabitants, the same shall be deemed a nuisance, and the occupant of such tenement shall, upon conviction, be fined in any sum not less than three nor more than ten dollars.

SEC. 2. It shall not be lawful for any person to throw or deposit, or cause to be thrown or deposited, in any place whatsoever, in said city, any vegetables, meats, slops or other offal, rubbish, manure or filth of any kind, which, by putrefaction or decomposition, will produce an offensive smell, or whereby the health or comfort of any portion of the community may be affected or endangered; and every person who shall violate any of the provisions of this section shall be deemed guilty of a nuisance, and upon conviction, shall forfeit and pay any sum not less than three nor more than twenty dollars for each offense.

SEC. 3. It shall not be lawful for any person to erect, occupy or use any building, shed, pen, or other place within the limits of said city, for the purpose of slaughtering any cattle, hogs or sheep therein, or carrying on any other offensive trade or business whatsoever that shall engender offensive odors, pollute the atmosphere, or endanger the health and comfort of any portion of the community, and any such building, shed, pen, or other place so occupied or used as aforesaid, shall be deemed, and is hereby declared to be, a nuisance, except as hereinafter provided; and the owner, occupant or other person, engaged therein, in violation of the provisions of this ordinance, shall be adjudged guilty of a nuisance, and upon conviction, fined in any sum not less than three nor more than twenty dollars. *Provided*, that the city council may, in their discretion, grant a special permit to any person to carry on any of the business prohibited by this section, upon such conditions as to them shall seem proper, and which shall be inserted in such permit; and upon any violation of, or non-compliance with, any of the conditions of said permit, the city council shall have power to revoke the same, upon complaint to them by any person; and on complaint being made, the

person to whom the permit may have been granted, shall be notified by the City Marshal to appear before the city council at a certain time named, to show cause why said permit should not be discontinued or revoked; and the city council shall decide in the matter according to the evidence adduced.

SEC. 4. No person shall place or deposit, or cause to be placed or deposited, at any place whatever in said city, any dead horse, cow, hog or dog, or any dead carcass or remains of any dead animal whatever; and any person violating any of the provisions of this section shall forfeit and pay not less than three dollars nor more than twenty dollars for each offense.

SEC. 5. When any dead animal shall be found in said city, it shall be the duty of the person owning such animal at the time of its death, or of the person who deposited or caused the same to be deposited, to remove and bury said animal forthwith; and if the owner of such animal, or said person depositing it, on being notified to do so by the City Marshal, or any other person, shall refuse or neglect to remove the same, and bury it as herein required, within twenty-four hours after such notice, he shall forfeit and pay not less than three nor more than twenty dollars for each offense.

SEC. 6. When any dead animal shall be found on any private premises in said city, it shall be the duty of the person owning or occupying such premises to cause the same to be removed and buried forthwith; and such owner or occupant of such premises, or any other person removing and burying said animal, may collect the expenses of such removal and burial from the person owning or depositing such dead animal, in an action before the Police Magistrate or any Justice of the Peace; and if the owner or occupant of any premises shall refuse or neglect to remove and bury such dead animal, he shall forfeit and pay not less than three nor more than twenty dollars for each offense.

SEC. 7. When any dead animal shall be found in said city, and shall not be removed nor buried within a reasonable time, it shall be the duty of the City Marshal to cause the same to be removed and buried at the expense of the city, on complaint being made to him by any person, and to enforce the provisions of this or-

dinance in relation thereto against all offenders ; and if any person shall commit a nuisance, as defined in this or any other ordinance of Yates City, and be convicted and punished therefor in accordance with the provisions of such ordinance, and shall then refuse or neglect to remove any such nuisance within a reasonable time, or shall suffer or permit the same to continue, he shall thereby render himself liable to further prosecution and punishment under such ordinance.

CHAPTER XVII.

FRANCHISE.

An ordinance granting to the Elmwood Electric Light Company the right to erect, maintain and operate a system of electric lighting and electric power in the town of Yates City, Illinois.

Be it Ordained by the Town Council of the Town of Yates City, in the State of Illinois:

SECTION 1. That in consideration of the benefits that may accrue to the Town of Yates City and to the citizens thereof, and of the right granted to the said town to use free of charge poles of the said company for fire alarm service (for use of the town only) ; the right, permission and authority is hereby granted to the Elmwood Electric Light Company, a corporation chartered by the State of Illinois, and to its successors or assigns, for a period of fifty years following the date of the passage of this ordinance, to construct, reconstruct, maintain, repair, and operate within the corporate limits of the town of Yates City, such currents, conductors, circuits, pole lines, conduits, buildings, machinery, and apparatus, as said company may deem necessary or suitable for the generation, transmission or distribution of electric currents for furnishing light, heat and power in, along, or across the streets, alleys and grounds of said Town of Yates City, and to do such other things, and acts as may appear necessary and proper to the end that said company may have the enjoyment of the rights hereby granted. The Town of Yates City shall at any and all times enact and enforce all due or-

dinances and regulations consistent with law to protect the property of said company within the limits of the Town of Yates City.

SEC. 2. The said Elmwood Electric Light Company, its successors or assigns shall furnish said Town of Yates City and to the citizens thereof, on their lines, or not more than four hundred feet from primary circuits that may be established, incandescent lights at prices not greater than the following, based on sixteen candle power lamp, viz: One cent per hour per lamp, if by meter, or seventy-five cents per month by agreement. Arc lamps on basis as per proposition for street contract with the Town of Yates City herewith submitted; viz: Standard known commercially as two thousand candle power moon schedule till midnight, five dollars per month.

SEC. 3. The said Elmwood Electric Light Company shall within five days after the passage of this ordinance file with the Clerk of the Town Council a written acceptance of the same. In case light be not furnished by said Company within one hundred and twenty-five days of the passage of this ordinance, or if at any time the said company, its successors or assigns (unexpected accidents or circumstances excepted) shall fail for a continuous period of sixty days to keep lights in operation, all rights and privileges granted to said company under this ordinance may, at the option of the Town Council of the Town of Yates City, become forfeited and void.

SEC. 4. The said company agrees to defend all suits, which may be brought against the said town, by reason of any alleged damages caused by the faulty erection, maintenance and operation of lamps, poles, wires, apparatus, and fixtures of said company, and to pay to the said town all costs; damages, or judgments it may sustain thereby, from any cause whatever.

SEC. 5. It is expressly understood and agreed that no exclusive franchise or license privilege, power nor rights in the matter of the lighting of the streets of said town, or running of electric lights in said town or its streets are given by this contract, nor any franchise, license or privilege, which would operate to prevent the town

putting in or maintaining this or other systems of street lighting, either by itself, or by contract with other parties.

SEC. 6. All ordinances or parts of ordinances conflicting with this ordinance are hereby repealed.

Passed this eleventh day of June, 1894.

T. J. KIGHTLINGER,
City Clerk.

H. J. HENSLEY,
President.

CHAPTER XVIII.

BOARD OF HEALTH.

SECTION 1. There shall be a Board of Health, consisting of the President, City Marshal and one reliable physician, to be appointed by the city council of Yates City, who shall be known as the Commissioner of Health. The City Clerk shall be the clerk of the Board.

SEC. 2. The President shall be ex-officio President of the Board of Health.

SEC. 3. The city council may from time to time prescribe the duties of said Board of Health.

SEC. 4. Said Commissioner of Health shall have and exercise a general supervision over the sanitary condition of the city, shall give to the President and other city authorities all such professional advice and information as they may require concerning the health of the city, and the preservation thereof, enforce all the laws of this State and the ordinances of the city relating to health, and promptly abate all nuisances which may in any manner endanger the health of the city.

SEC. 5. Whenever said Commissioner of Health shall deem it necessary for the proper discharge of the duties of his office so to do, he shall have the right at any time between the rising and setting of the sun to enter into any dwelling house, store, stable or other building, and cause the floor or floors to be raised in order to a thorough examination of cellars, vaults, sinks or drains or for the purpose of other sanitary inspection of said building or buildings, such exam-

ination to be made without unnecessary injury to such premises, and any owner, lessee or occupier of any such building who shall refuse admission to such building when demanded, by said Commissioner of Health for the purpose aforesaid, shall be subject to a penalty of not less than twenty-five dollars; but upon objection made to such action of the Commissioner said Commissioner shall suspend action until the objector can be heard by the Board of Health, and said Board of Health shall have approved of such action of the Commissioner.

SEC. 6. Whenever the Commissioner of Health shall find any privy vault or cesspool on any lot in the city so located or constructed as to endanger the health of or cause discomfort to persons residing in the neighborhood, or be in dangerous proximity to any well in use for domestic purposes, he shall order the owner or person in control of such premises to immediately remove the filthy contents and fill up such vault or cesspool with clean material, free from animal and vegetable matter. Any person being the owner or in control of the premises in which such vault or cesspool is situated, who shall fail to comply with the order of the Commissioner of Health to empty and fill up such vault or cesspool, shall be subject to a penalty of not less than two dollars for each day's delay, neglect or refusal to comply with such order.

SEC. 7. Whenever the Commissioner of Health shall have reason to suspect the water in any well in the city is unfit for domestic use, he shall make proper examination, and may order such well to be properly secured in such manner as he shall direct or approve from any apparent or suspected source of contamination; or he may order such well to be filled up with clean material, free from animal or vegetable matter. Any person neglecting or refusing to comply with such order from the Commissioner of Health shall be subject to a penalty of not less than two dollars for each day's delay, neglect or refusal to comply with such order.

SEC. 8. Whenever the existence of any nuisance detrimental to the health of the city shall come to the knowledge of the Commissioner of Health, he shall order the owner or person in control of the premises in or upon which such nuisance shall exist, or the per-

son causing such nuisance, to abate the same within such reasonable time as shall in such notice be named. If such owner or person in control of such premises, or person causing such nuisance shall fail to comply with the terms of such order, he shall be subject to a penalty of not less than two dollars per day for each day's delay, neglect or refusal.

SEC. 9. It shall be the duty of the Commissioner of Health to make at all times a diligent inquiry as to the existence of any malignant, pestilential or contagious disease existing within the limits of the city, or so near the city as to be likely to affect the health thereof, and upon obtaining knowledge of the existence of any such disease, he shall forthwith take measures to protect the city from such disease, and in case of pestilence or epidemic disease, or of danger from anticipated or impending pestilence or epidemic disease, or in case the sanitary condition of the city should be of such a character as to warrant it, it shall be the duty of said Board of Health to take such measures and to do and order and cause to be done such acts for the preservation of the public health, though not in this chapter or elsewhere or otherwise authorized, as they may in good faith deem the public safety and health to demand.

SEC. 10. Such Commissioner of Health shall visit and examine, if necessary, all persons sick or supposed to be sick with yellow fever, small pox, cholera, scarlet fever, diphtheria, or any infectious or pestilential disease, and with the consent of the majority of the Board of Health, to cause any such infected person to be properly secluded or removed to the pest house, or some other safe and proper place where such person can be properly cared for and treated. And if, through poverty or any other reason such person be properly a public charge, the poormaster shall take charge of and make proper provision for such person.

SEC. 11. The Board of Health may take such measures as it may from time to time deem necessary to prevent the spread of the small pox by issuing an order in one or more city newspapers requiring all persons in the city or any part thereof needing vaccination to be vaccinated within such time as it may prescribe, and any person neglecting or refusing to obey such order shall be subject to a penalty

of not less than five dollars. Said Board shall provide for the free vaccination of such persons as are unable to pay for the same.

SEC. 12. Said Commissioner of Health may order any house or other building or any premises to be cleaned, disinfected or closed to visitors, and prevent any person resorting thereto while any person is there laboring under any pestilential or infectious disease, and the owner or occupant of said house, building or premises, shall, upon receiving a written order of said Commissioner, proceed within a reasonable time, named in said notice, to cleanse and disinfect the same to the satisfaction of said Commissioner, and to close and keep closed said house, building or premises to visitors: and any person violating the provisions of this section shall be subject to a penalty of not less than five dollars.

SEC. 13. The Commissioner of Health shall cause a notice printed in large letters to be placed upon any house in which any person may be sick with any infectious, pestilential or contagious disease, upon which shall be written the name of such disease; and whoever shall deface, alter, mutilate, destroy or tear down such notice without permission of the Commissioner of Health, shall be subject to a penalty of not less than ten dollars; and the occupant of any house upon which said notice shall be placed as aforesaid, who shall know of the same being defaced, altered, mutilated, destroyed or torn down, and shall not within twenty-four hours after first knowing of the same, report the fact to the Commissioner of Health, shall be subject to a penalty of not less than five dollars.

SEC. 14. Every practicing physician who shall have a patient sick with any pestilential, contagious or epidemic disease, or any person having care of such patient, in case there be no physician in attendance, who shall neglect forthwith to report such case to the Commissioner of Health, shall be subject to a penalty of not less than ten dollars.

SEC. 15. Said Board of Health shall, whenever it shall deem it necessary, with the approval of the city council, provide and suitably furnish at the expense of the city, a suitable pest house, for removal thereto of any person affected with any pestilential, contagious or epidemic disease.

SEC. 16. The President may at any time, upon written notice, to said Commissioner of Health, suspend any action, order or proceedings of said Commissioner, whereupon said Commissioner shall discontinue such action, order or proceedings. The President shall upon such suspension, at the request of said Commissioner, immediately convene said Board of Health, when if said Board, by a majority vote of all the members of said Board, approve the action of the President, such suspension of the action of said Commissioner shall continue; but if such majority shall not so approve of the President's action, said Commissioner may proceed at once as if no suspension had taken place.

SEC. 17. Any person aggrieved by any order of the Commissioner of Health may make application to the President to suspend such action, and the President shall have power to suspend such order of the Commissioner in accordance with and under the conditions mentioned in section sixteen of this chapter; but if the President shall refuse to suspend such action of said Commissioner, then such person so aggrieved may appeal to the Board of Health by giving notice of such appeal in writing to the City Clerk, who shall thereupon notify each member of the said Board then in the city, and such Board shall upon such notice immediately meet and act upon such appeal, giving the appellant the right to be heard, and if said appeal shall by a majority of said Board be sustained, then said order of said Commissioner shall be no longer in force, but the same shall be null and of no effect.

SEC. 18. No expenditures of money or incurring of expense to the city, exceeding at any one time or for any one purpose the sum of twenty-five dollars, shall be made by said Commissioner of Health without the consent of the Board of Health thereto first obtained.

SEC. 19. Said Commissioner of Health shall, at the regular meeting of the city council in the months of May, August, November and February in each year, make a report in writing to said city council, containing a detailed statement of the acts and doings of the said Board of Health during the preceding quarter, which report shall also contain a statement of all moneys paid out and expense incurred by said Commissioner and Board of Health during the last quarter.

CHAPTER XIX.

IN RELATION TO RECOVERY OF FINES, FORFEITURES AND PENALTIES.

SECTION.

1. Suits; how brought. Complaint; form of.
2. Warrant; proceedings before the Magistrate.
3. Execution. Bond for satisfaction of judgment; suit therein.
4. Failure to satisfy execution. Labor on streets.
5. Restraint by Marshal while road labor is being performed; discharge from custody; return of Marshal; costs paid by city.
6. Persons laboring on streets; where and by whom boarded;

SECTION.

- board how paid; may board himself; giving bond, etc.; escape by misconduct of officer.
7. Process, how executed; proceedings before Magistrate.
8. Duty of the President when suit brought; of members of the City Council or other officers.
9. Fees of Police Magistrate, etc. Jurors and witnesses; how paid. Keeper of city prison; fees of; how paid.
10. Fines collected; how disposed of.

SECTION 1. All suits, actions or prosecutions, brought for the recovery of any fine, forfeiture or penalty for a breach or violation of any ordinance now or hereafter to be in force in Yates City, shall be commenced by complaint, briefly setting forth the breach of any ordinance, and such complaint shall be made to the Police Magistrate of said city in preference to other magistrates, but may be made to any Justice of the Peace in Knox county, and shall be substantially in the following form, to wit:

STATE OF ILLINOIS, } ss
Knox County.

I, A..... B....., being duly sworn, do, by way of complaint to C..... D....., Police Magistrate of Yates City (or Justice of the Peace, as the case may be,) state that E..... F..... has been guilty of a breach of an ordinance of said city, by (here describe the particular offense committed) in Yates City, on the..... day of....., A. D. 18..

Sworn and subscribed before me, this.....day of....., 18..

(Signed), Police Magistrate or J. P.

Which form shall and may be so varied as to apply to the nature of the offense, the time, place, number of persons engaged, or other circumstances attending the particular case, without regard to the exact form of words, and no objection to form or words shall be allowed if such complaint shall substantially set forth the nature of the offense alleged to have been committed, so as to give notice

to the defendant of the nature of the charge which he is called upon to answer.

SEC. 2. Such complaint shall, in all cases, be sworn to; and said Police Magistrate, or Justice of the Peace, as the case may be, shall, thereupon, provided the offender has not been arrested, issue his warrant, reciting therein the title of the ordinance and the breach thereof, as set forth in the complaint; which warrant shall be directed to the City Marshal of said city, or any Constable of Knox county, for the arrest of the person or persons therein named or described, and returnable forthwith; and said Police Magistrate, or Justice of the Peace, upon the appearance of the offender, shall proceed with the examination and trial of the defendant, and shall immediately upon conviction, enter judgment against him for the amount of the fine, and all costs, fees and charges attending the prosecution and collection of the same.

SEC. 3. If the amount of such judgment shall not be paid forthwith, the Magistrate before whom conviction was had, shall issue execution against such defendant immediately, unless said defendant shall give bond to Yates City in double the amount of such judgment, with such security as the Magistrate and the person appearing in such suit on behalf of the city, shall approve, conditioned that he, or they, will cause to be paid to said Magistrate, the amount of such judgment, within twenty days from the date thereof, in which case the defendant shall be released from custody, but not otherwise; and if the conditions of such bond shall not be fulfilled at the expiration of twenty days, suit shall be brought thereon.

SEC. 4. All persons convicted under any of the ordinances of the city for any misdemeanor, or for any matter for which a penalty is prescribed in the ordinances, shall stand committed to the city prison until the fine and costs are paid; but no such imprisonment shall exceed six months for any one offense. And on failure to pay the same, such person or persons may be required to labor on the streets or other public works of the city one day for each one dollar and fifty cents of the fine and costs, and the city shall furnish such persons with food and lodging in the village prison until the same be discharged.

SEC. 5. In all cases under this ordinance, where the defendant is required to pay his fine and the costs, by labor on the streets, as aforesaid, the City Marshal is hereby authorized, in his discretion, to place and impose such restraints upon any such defendant as may be necessary and proper, to prevent him from escaping from the custody of said City Marshal during the time he may be required to labor, as aforesaid; and when such defendant shall have worked out the amount of such judgment, and all accruing costs and charges, on the streets, as therein required, he shall immediately be discharged from custody, and the City Marshal shall make return of the said process to the Magistrate who issued it, that the same has been satisfied by labor on the streets, and the city shall then pay all officers' fees for services rendered under this ordinance. *Providea*, that any defendant so convicted may, at any stage of the proceedings against him, under this ordinance, liberate himself from custody, and satisfy such judgment by payment to the City Marshal of the amount thereof, and all accrued costs and charges, or the unsatisfied balance of the same, at any time due.

SEC. 6. Every such person so required to labor on the streets, shall be boarded and lodged at the city prison, or some other secure place to be designated for that purpose by the city council, and shall be fed on substantial and wholesome food; and for the payment of the costs and charges for said boarding and lodging, thus accruing, he shall be required to work upon the streets of said city, at the same rates, and upon the same terms, as are herein required for the payment of the fine and costs assessed against him in such judgment. *Provided*, that said person shall not be boarded and lodged at the city prison, or other place, at the expense of the city, if he is able to procure boarding and lodging at his own expense at some other place in said city, and will enter into bonds to said city, with good security, to be approved by said City Marshal, in double the amount of such judgment, conditioned that he will well and faithfully work out on the streets of said city, under the direction and control of said City Marshal, the amount of said judgment and all accruing costs. The bond to be taken under this section shall be filed in the office of the City Clerk of Yates City, and suit shall be brought on the same whenever the conditions thereof shall be vio-

lated ; and if the City Marshal shall permit or suffer any person committed to his custody, under this ordinance, to escape, through his indulgence or negligence, or by failing to require him to give bonds, as hereinbefore provided, he shall be held individually responsible for the amount due on said process, and the same shall be collected by action of debt against said Marshal, and the security upon his official bond.

SEC. 7. The officer who shall execute any writ or process issued in suits brought for the recovery of any fine, forfeiture or penalty for a breach of any ordinance of said city, shall, unless otherwise directed by this or some other ordinance of said city, proceed in the execution of his duty in the same manner that constables are required to proceed in similar cases by the laws of this state ; and the Police Magistrate or Justice of the Peace trying such cause, shall, unless otherwise directed, by this or some other ordinance of said city, be governed by the laws of this state relating to similar proceedings before Justices of the Peace.

SEC. 8. It shall be the duty of the President, when he is able to do so, to appear on behalf of the city in all suits, actions or prosecutions wherein the city may be a party ; but any other member of the city council, or any city officer, or any attorney, or other person to be selected or appointed by the President, or by the city council, may appear on behalf of the city in any suit whenever the city may be the plaintiff in action.

SEC. 9. The Police Magistrate, and all other officers, jurors and witnesses, shall be entitled to the same fees in all cases arising under the ordinances of said city as are or may be allowed for similar services rendered under the laws of this state in suits before Justices of the Peace ; and when such fees cannot be collected from the person convicted, the same shall be paid out of the city treasury. Any officer making an arrest under the ordinances of said city without warrant, shall be entitled to the same fees as though he had made the arrest with a warrant, and the Magistrate before whom any person shall be convicted, under the ordinances of said city, shall tax, as a part of the costs against such person, all fees and charges that may be due to the keeper of the city prison for ser-

vices required of him in the collection of the judgment rendered against such person.

SEC. 10. All fines and forfeitures imposed by virtue of any ordinance of said city, now in force, or that may hereafter be in force, for a breach of the same, shall, when collected, be paid over immediately by the Police Magistrate or other officer collecting the same, to the City Treasurer, for the use of the city, and shall form a part of the general fund thereof.

CHAPTER XX.

IN RELATION TO ARRESTS AND IMPRISONMENTS.

SECTION.

1. President to appoint watchmen; certificate of appointment.
2. President and City Marshal; power to arrest without warrant.
3. Arrest after six o'clock P. M., and on Sunday.
4. Drunkenness of defendant; duty of Justice at time of trial.
5. Release from custody by entering into bond; form of bond; suit thereon.
6. Power of officer to call for aid in making arrests.
7. President, Marshal and Watchmen; power to enter buildings, make arrests, etc.
8. Resisting officer or assistant.

SECTION.

9. Falsely pretending to be an officer; penalty for.
10. Minors arrested and prosecuted.
11. City Marshal as keeper of city prison; deputy appointed.
12. Duties of the keeper of the city prison as to custody of prisoners.
13. Care, food and bedding for prisoners; general duties of keeper of prison as to care of prisoners.
14. Aiding prisoners to escape from custody.
15. Commitment of prisoner; fees of keeper; how collected; food for prisoners; how paid for.

SECTION 1. The President of Yates City shall, from time to time, as may appear to him necessary, appoint such watchmen, by day or night, as may be requisite to preserve order in said city, or to keep the peace in any apprehended emergency, and shall give such watchmen a certificate of their appointment, in his hand, stating particularly the time when their duties and authority shall cease.

SEC. 2. The President, City Marshal and Watchmen are authorized, and it is hereby made their duty, to arrest without warrant, every person found engaged, or known to be engaged, in violating any of the ordinances of said city, and every person alleged to be guilty of any such violation, who may be liable to escape before a warrant can be procured, and take every such person before the Police Magistrate or some other Justice of the Peace for trial.

SEC. 3. If any person shall be arrested, without warrant, for a breach of any ordinance of said city, after the hour of six o'clock P. M. on Saturday, or at any hour on Sunday, it shall be lawful to confine such person in the city prison, or some other secure place, until nine o'clock A. M. of the following Monday; and then it shall be the duty of the officer having him in charge, to bring such person before the Police Magistrate, or some Justice of the Peace for trial; and if any person shall be arrested after the hour of six o'clock P. M. on any other day, he may be confined in like manner until nine o'clock A. M. of the succeeding day, and brought to trial.

SEC. 4. If any person at the time of his arrest shall be drunk or intoxicated, it shall be the duty of the officer making the arrest, to commit such person to the city prison, or other secure place, until he shall become sober, and then bring him into court for trial; and any Magistrate is hereby authorized to order into custody, until sober, any person brought before him for trial who may be at the time drunk or intoxicated.

SEC. 5. Any person arrested without warrant and liable to be confined, as provided in section three of this ordinance, shall have the right to release himself from custody by entering into a recognizance, with such security as the officer making the arrest shall approve, for his appearance before the Police Magistrate's Court at the time to be named in the recognizance, to answer for the offense for which he was arrested; which recognizance shall be in substance, as follows:

STATE OF ILLINOIS, { ss.
Knox County.

Know all men by these presents: That we, A.....B..... and C..... D....., acknowledge ourselves, jointly and severally, bound unto Yates City in the penal sum of one hundred dollars, for the payment of which, well and truly, we hereby bind ourselves, our heirs, executors and administrators.

Signed and sealed this.....day of.....18.....

The condition of this obligation is such, that if the said A.....B....., who has this day been arrested for a violation of an ordinance of Yates City by (here describe offense) shall personally be and appear before the Police Magistrate of said city (or Justice of the Peace, as the case may be) at..... o'clock, on.....the.....day of.....18....., and shall there remain and abide the order of said Police Magistrate, and not depart without leave, then this recognizance shall be null and void, otherwise to remain in full force and virtue.

A.....B....., (L. S.)

C.....D....., (L. S.)

Every recognizance so taken shall be valid and binding, and shall not be set aside or adjudged insufficient for want of form, and shall be returned to the Police Magistrate, or Justice of the Peace, as aforesaid, by the officer taking the same. If the defendant shall fail to appear as required by the recognizance, the Magistrate shall enter the default upon his docket, and certify the same on the back of said recognizance, and suit shall be brought immediately in the corporate name, on said recognizance, for the recovery of the amount therein named.

SEC. 6. All officers authorized to make arrests in the city of Yates City, under the charter and ordinances thereof, whether acting with or without process, shall have the power, whenever they deem it necessary, to call to their aid and assistance any male inhabitant of said city, over the age of twenty-one years; and every person who shall refuse or fail to render such aid and assistance, when so called upon by any of said officers, shall, upon conviction, forfeit and pay not less than one dollar nor more than ten dollars for each offense.

SEC. 7. The President, City Marshal and Watchmen are hereby authorized, for the purpose of making arrests, and quelling disorders and disturbances, to enter, in a peaceable manner, or by force, if resisted, after demand for admittance is made, any house, store, shop, grocery or other building whatever, where any illegal practice or violation of any ordinance is being carried on, or where there is probable cause for supposing the same is being carried on;

and every person who shall resist the entrance of any of said officers into any such building, after demand for admittance has been made, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall forfeit and pay not less than three nor more than fifty dollars for each offense; and such officers, in making arrests, conveying prisoners, and quelling disturbances, shall use such force as may be necessary to execute their duties and overcome any resistance that may be offered.

SEC. 8. Whoever shall hinder, obstruct, or aid, encourage or countenance another person in hindering, obstructing, resisting, interrupting or interfering with any officer of said city in the discharge of his official duties, or shall rescue or attempt to rescue from any such officer, any person in his custody, or shall prevent or attempt to prevent any such officer from arresting any person, or shall hinder, obstruct, resist, interrupt or interfere with any person called upon or authorized by any such officer to aid him in making an arrest, or to assist him in the discharge of his official duties, shall be deemed guilty of a misdemeanor, and on conviction shall forfeit and pay not less than ten nor more than one hundred dollars for each offense.

SEC. 9. Whoever shall, in said city, falsely represent himself to be an officer of the city, or shall, without being duly authorized, exercise, or attempt to exercise, any of the duties, functions or powers of a city officer, shall be adjudged guilty of a misdemeanor, and upon conviction, fined in any sum not less than ten nor more than one hundred dollars for every offense.

SEC. 10. If any minor shall offend against the provisions of any ordinance of said city, he shall be arrested and brought to trial in all respects as other persons guilty of like offenses, and if judgment be obtained against him, it shall be collected or enforced as in other cases.

SEC. 11. The City Marshal shall have charge and be the keeper of the city prison, or other place in said city designated by the city council for the confinement of prisoners, and may, with the consent of the city council, appoint a deputy keeper thereof, and said City Marshal shall be responsible for the acts and omissions of

such deputy as though the acts or omissions were his own, and the deputy shall be responsible for all his own acts and omissions as though he were the principal; but nothing in this section shall prohibit the city council from removing any such keeper, or his deputy, at any time, and appointing another person to be the keeper of said prison, when the interest of the city may seem to require it.

SEC. 12. The keeper of such prison shall receive, and hold in custody therein, all persons arrested by the officers of said city, and brought to the city for confinement, and all persons committed to the same by the Police Magistrate, or any Justice of the Peace, for a violation of any ordinance of said city, and securely keep such persons, pursuant to the ordinances of said city, or the order of the court committing them. He shall keep a register, in which he shall enter the names of all prisoners, the date at which they were received, the time for which they were committed, for what offense, and such other items of information as he may deem necessary, or such as may be required by resolution of the city council; said keeper shall, when properly applied to, receive into said prison for safe keeping over night or other short periods, any prisoner in the custody of any other officer, for any offense against the laws of this state, or any municipal corporation within the state; but neither the city of Yates City, nor such keeper, shall be, in any way or manner, responsible or liable in case of the escape of any such prisoner from said prison.

SEC. 13. It shall be the duty of the keeper to supply each prisoner under his charge with water and substantial food, and with necessary bedding to keep him warm and reasonably comfortable, an account of which he shall render from time to time to the city council for allowance and payment. He shall not exercise toward any prisoner unnecessary severity or cruelty; he shall not permit males and females to occupy the same apartment; he shall be careful and vigilant to prevent the escape of any prisoner, and to retake him when escaped. When necessary to prevent the escape of any prisoner, or to keep him in proper subjection, he shall secure him with handcuffs, chains or other fastenings; he shall search all persons committed or lodged in the prison, and take from them all arms or weapons, all liquors, and all instruments that might be used

in making their escape ; and he shall receive from any such prisoner such money or other valuables as said prisoner may see proper to entrust to him, all of which shall be returned to said prisoner when discharged ; but the keeper shall not be obliged to return any unlawful weapon so taken from any prisoner. Any keeper or his deputy, who shall violate any provisions of this section, shall, upon conviction thereof, forfeit and pay, for the use of Yates City, not less than three nor more than fifty dollars for each offense.

SEC. 14. It shall not be lawful for any person to aid or assist any prisoner, confined by virtue of this or any other ordinance of Yates City, to escape from such confinement, or to furnish to any prisoner any tools or other instruments or means whereby to effect his escape, or in any manner, directly or indirectly, to aid or assist in the escape of any prisoner so confined ; and every person convicted of a violation of the provisions of this section, shall forfeit and pay not less than ten nor more than one hundred dollars for each offense.

SEC. 15. In all cases of commitment by any Magistrate, the keeper of the city prison shall be entitled to a fee of twenty-five cents for receiving and discharging the prisoner, to be taxed with the costs against the defendant, and collected as other costs are collected ; and the keeper shall be entitled to such compensation per day, for food and bedding furnished to prisoners, as the city council may from time to time direct, by resolution or otherwise, to be paid to said keeper out of the city treasury, and added by the Magistrate, before whom conviction is had, to the amount of fine and costs recovered against such prisoner.

CHAPTER XXI.

IN RELATION TO CEMETERIES.

SECTION.

1. Yates City Cemetery burial ground.
2. Approval of plat.
3. Sales of lots.
4. Account of sales.
5. Reservation of lots for public use.
6. Sexton; his duties.
7. Duties of Sexton.
8. Regulation in regard to digging graves.

SECTION.

9. Fencing, etc., of lots.
10. Playing games within cemetery; defacing trees, tombstones, etc.; penalty therefor.
11. Fees of Sexton and City Clerk.
12. Addition to cemetery.
13. Survey and plat of same, etc.
14. Price of lots.

SECTION 1. That the premises conveyed to Yates City by Edmund B. Kent, by deed, bearing date of February 10, A. D. 1872, and any addition which may be made thereto, shall be, and the same is hereby declared to be, the burial ground of Yates City, and shall be known as the "Yates City Cemetery."

SEC. 2. The survey and plat of said grounds, as made by W. H. Robison, Deputy Surveyor of Knox county, August 3d and 4th, 1871, is hereby approved and confirmed.

SEC. 3. The prices of lots in said grounds shall be as follows, except as hereinafter provided: Lot one to lot thirteen, inclusive, five dollars; lot eighteen to lot twenty-three, inclusive, eight dollars; lot twenty-four to lot thirty, inclusive, ten dollars; lot thirty-one to lot thirty-seven, inclusive, ten dollars; lot thirty-eight to lot forty-three, inclusive, eight dollars; lot forty-eight to lot fifty-three, inclusive, eight dollars; lot fifty-four to lot sixty, inclusive, ten dollars; lot sixty-one to lot sixty-seven, inclusive, ten dollars; lot sixty-eight to lot seventy-three, inclusive, eight dollars; lot seventy-eight to lot eighty-three, inclusive, eight dollars; lot eighty-four to lot eighty-five, inclusive, ten dollars; lots eighty-six to ninety, inclusive, five dollars; lots ninety-one to ninety-four, inclusive, ten dollars; lot ninety-five to lot one hundred and three, inclusive, five dollars; lots one hundred and eight to one hundred and fourteen, inclusive, five dollars; lots one hundred and fifteen to one hundred and twenty, inclusive, ten dollars; lots one hundred and twenty-one to one hun-

dred and twenty-seven, inclusive, ten dollars ; lots one hundred and twenty-eight to one hundred and thirty-three, inclusive, eight dollars ; lots one hundred and thirty-eight to one hundred and forty-three, inclusive, eight dollars ; lots one hundred and forty-four to one hundred and fifty, inclusive, ten dollars ; lots one hundred and fifty-one to one hundred and fifty-seven, inclusive, eight dollars ; lots one hundred and fifty-eight to one hundred and sixty-three, inclusive, eight dollars ; lots one hundred and sixty-eight to one hundred and seventy-three, inclusive, eight dollars ; lots one hundred and seventy-four to one hundred and eighty, inclusive, ten dollars, each ; said lots as herein mentioned being situated and numbered in lines running from east to west across said cemetery grounds. *Provided*, that any person wishing to remove the remains of any deceased person already buried in the ground known as the "old cemetery," shall be entitled to purchase any of the foregoing numbered lots at one-half the price herein set forth. The sum herein mentioned shall be paid to the City Clerk, immediately upon notice from the purchaser of the lot he has chosen : and it shall be the duty of said Clerk, together with the President, to make a deed of said lot to such purchaser, upon receipt of the price thereof, as herein provided.

SEC. 4. It shall be the duty of the City Clerk to keep a separate account, in a book kept for that purpose, of all said sales and payments, and said moneys shall be accounted for by him in the same manner as all other moneys coming into his hands, by virtue of his office, are, by ordinance, required to be accounted for.

SEC. 5. All lots situated in the two tiers, rows or ranges of lots on the west side of said cemetery, and not mentioned in the class of lots upon which prices are fixed, are hereby reserved for and appropriated to the burial of poor persons, and strangers who may not have other grounds provided for them, and the residue of the lots shall be reserved for the use and possession of such families and persons as have heretofore or may hereafter become the purchasers of the same, to be used by them as places of burial for the dead, and for no other uses or purposes whatever, all of which shall be under the control of Yates City, subject to her ordinances, rules

and regulations ; and all owners of said lots, or other persons, shall comply with the same in the interment or removal of bodies, and in the care, ornamentation and use of the grounds thereof ; and no deed or contract made with said city shall prevent the exercise on her part of any such power in her discretion.

SEC. 6. The city council shall appoint a sexton for said cemetery, who shall hold his office at the pleasure of the city council. It shall be his duty to take the entire charge, control and superintendence of said cemetery, subject to the order and direction of the city council, and preserve and keep in proper repair, the fences and enclosures of the same, so as to prevent its being entered by swine, or other animals, and also, as far as practicable, prevent the destruction or defacing of any grave-stone tablets, or monuments, placed or erected in said cemetery. It shall also be his duty to point out to persons wishing to purchase, all lots for sale, and notify the Clerk when and where any person has made a selection.

SEC. 7. It shall be the duty of the sexton to dig, without delay, all graves in said cemetery, on application to him by the owner of any lot, or other person having the right of interment therein ; to attend every interment in person, or by a competent deputy ; to fill up and neatly trim the grave immediately after depositing the coffin ; to fill up and trim all graves dug by him that hereafter may settle or sink ; to register the names of all persons interred therein, and when non-residents, where from, if known, and the place of their interment. Subject always to the inspection of the city council or any person interested, without fee ; and he shall always keep the walks, avenues and alleys in good order, and unobstructed, so that a free passage can be had to the lots.

SEC. 8. It shall be unlawful to dig any grave in the walks, lanes or avenues of said cemetery, or for any person to dig any grave, or inter any body in said cemetery without the consent of the sexton ; and any person guilty of a violation of this section shall be fined not less than three nor more than fifty dollars for each offense.

SEC. 9. All interments shall be made at least five feet deep, and the grave dug at least six inches within the line of the lots, and all fencing, vaults or ornaments, that may be erected by individuals

on their lots, shall be erected so as not to obstruct any of the walks, lanes or avenues, or the access to any of them ; and any person violating this section shall be fined not less than three nor more than fifty dollars for each offense.

SEC. 10. It shall be unlawful for any person to play within said cemetery, at any game of any sort or description whatever, or to cut, mark, write upon, or in any way or manner injure any tree, shrub, tomb-stone, tablet, monument or other thing within the enclosure of said cemetery, or in any way cut, mark, injure or deface any fence or tree, around said cemetery ; and every person so offending shall be fined not less than three nor more than fifty dollars for each offense.

SEC. 11. The sexton shall be entitled, in lieu of all compensation from Yates City, to the grass grown in said cemetery enclosure in each year, upon cutting the same in a workmanlike manner ; and it shall be lawful for him to charge and collect of the person who shall employ him to dig a grave the sum of three dollars, except for children under ten years of age, for which he shall charge but two dollars, in consideration of which he shall perform all the work about said grave provided in section seven of this ordinance ; but nothing in this ordinance contained shall prevent any person from digging a grave for any deceased person without charge. The City Clerk, for writing and furnishing deed, as in section three of this ordinance provided, shall be entitled to a fee of fifty cents, to be paid by Yates City out of the funds derived from the sale of cemetery lots, as in this ordinance provided.

SEC. 12. The premises conveyed to Yates City by S. S. Goold and his wife Nellie M. Goold, by deed bearing date March 17th, 1896, are hereby declared to be an addition to and a part of the Yates City Cemetery, to which it adjoins.

SEC. 13. The survey and plat of said addition as made and platted by C. S. Richey, County Surveyor, hereto attached marked "A," is hereby approved and confirmed. The lots in the addition included in Blocks,and, and such lots as may hereafter be designated by the city council, shall be reserved for and appropriated to the burial of poor persons and

strangers, who may not have other grounds provided for them. Lots 106, 107, 124 and 125 shall be reserved for the burial of soldiers and sailors.

SEC. 14. The prices of lots not heretofore otherwise appropriated in this addition, shall be \$10.00 each.

CHAPTER XXII.

IN RELATION TO SHOOTING, OR USING FIRECRACKERS AND FIREWORKS, IN THE CORPORATE LIMITS OF YATES CITY.

SECTION 1. That it shall not be lawful for any person or persons to fire off, discharge or shoot, any rifle, shot gun, pistol, revolver, or any firearms of any description, in any of the streets, avenues, lanes, alleys, commons, public grounds, or recklessly use any of said firearms on any private property owned or rented by the person or persons occupying the same, within the corporate limits of Yates City, except on farms within the said corporate limits of Yates City, and then by consent of the owner of said farms; *Provided*, that in case the public safety of the inhabitants of Yates City demands it from any cause of danger whatever to said inhabitants, then such rifle, shot-gun, pistol, revolver, or any of said firearms, may be fired and used within the said corporate limits of Yates City. Any person or persons who violate any part of this section shall, on conviction thereof, forfeit and pay a fine of not less than one nor more than twenty dollars for each and every offense.

SEC. 2. It shall not be lawful for any person or persons to fire any skyrocket, torpedo, firecrackers, or any explosive article or thing, on any of the public sidewalks, streets, lanes, alleys or public grounds, within said limits of Yates City, at any time whatsoever; *Provided*, however, that on national or any of the holidays, fireworks may be used under regulations of a committee appointed for that purpose. Any person or persons who violate any part of this section, shall, on conviction thereof, forfeit and pay a fine of not less than three, nor more than twenty dollars, for each and every offense.

CHAPTER XXIII.

IN RELATION TO LEVYING TAXES.

SECTION 1. The city council shall annually, on or before the third (3) Tuesday in August in each year, ascertain the total amount of appropriation necessary for all corporate purposes, legally made, and to be collected from the tax levy of that fiscal year, and by resolution, specify in detail the purposes for which such appropriations are made, and the sums or amount for each purpose appropriated respectively, levy the amount so ascertained upon all the property subject to taxation within the city, as the same is assessed and equalized for state and county purposes for the current year. A certified copy of such resolutions shall be filed with the County Clerk of Knox County, within ten days thereafter, provided the aggregate amount of taxes levied for one year, exclusive of the amount levied for the payment of bonded indebtedness, or the interest thereon, shall not exceed the rate of five per centum upon the aggregate valuation of all property within the city subject to taxation therein, as the same was equalized for the state and county taxes of the preceding year.

CHAPTER XXIV.

IN RELATION TO DISCONTINUING SIDEWALKS.

SECTION 1. That whenever, in the opinion of the city council, it shall become necessary or expedient to discontinue any sidewalk, piece or part thereof, or any street crossing in Yates City, the city council shall have full power so to do, in compliance with section 8 of article 4, of the Yates City charter.

CHAPTER XXV.

REVISION AND REPEAL.

SECTION.

1. Style of Ordinances; repeal; not to affect suits, etc., for previous offenses.

SECTION.

2. When to take effect.

SECTION 1. The foregoing shall constitute and be denominated "The Revised Ordinances of the City of Yates City, Illinois," and shall be published in book form, and when so published shall be received in all courts and places without further proof. All ordinances or parts thereof not included herein are hereby repealed so far only as shall relate to offenses committed from and after the taking effect hereof; but no fine, forfeiture, penalty, right, action, suit, debt or other liability whatsoever, created, instituted, incurred or accrued, by or under the same shall be released, discharged, annulled, repealed, or in any wise affected, but may be prosecuted, recovered or enjoyed, or any suit or other proceeding be commenced or completed thereon, as fully and in the same manner in all respects as if such ordinance or part thereunder had remained in full force.

SEC. 2. This ordinance shall take effect and be in force ten days after its publication.

Passed June 7th, 1897.

Approved June 7th, 1897.

R. A. LOWER, President.

Attest: J. B. COYKENDALL, City Clerk.

{ ~ ~ ~ ~ ~ }
CORPORATION {
SEAL. {
{ ~ ~ ~ ~ ~ }

Published by the authority of the city council of the City of Yates City, Illinois, this seventh day of June, A. D. 1897.

CERTIFICATE OF AUTHENTICATION.

STATE OF ILLINOIS, }
CITY OF YATES CITY. } ss.

I, J. B. Coykendall, City Clerk of said City, hereby certify that the foregoing ordinance is a true copy of an ordinance in revision of the ordinances of the city of Yates City, passed by the City Council of said City at a meeting held on the seventh day of June, A. D. 1897, duly approved by the President of said City on the seventh day of June, A. D. 1897, and now in force, the original of which ordinance is on file and duly recorded in the office of said City Clerk; and that said ordinance is hereby published by authority of the City Council of said City.

In testimony whereof, I have hereunto set my hand and affixed the seal of said City this seventh day of June, A. D. 1897.

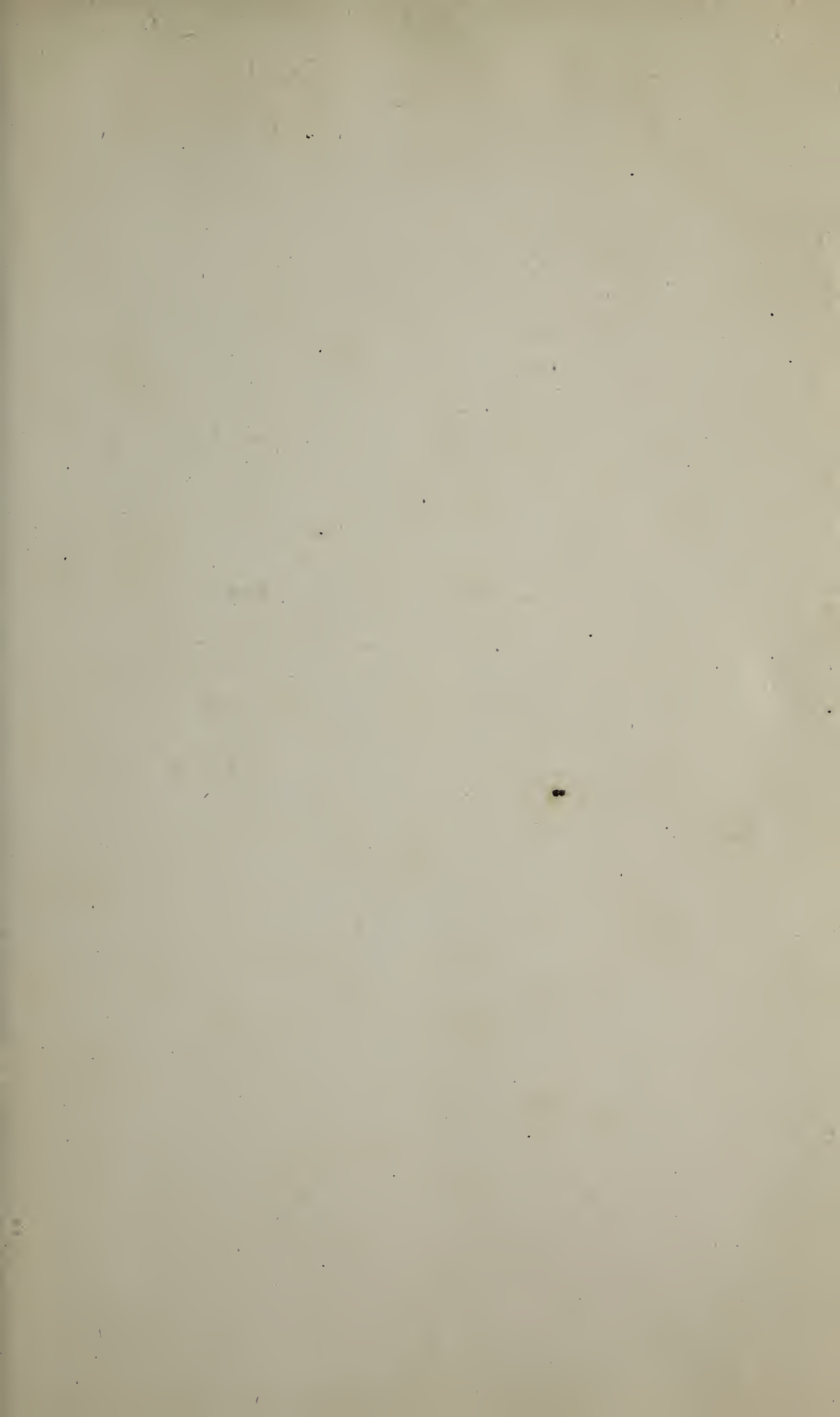
J. B. COYKENDALL,
City Clerk.

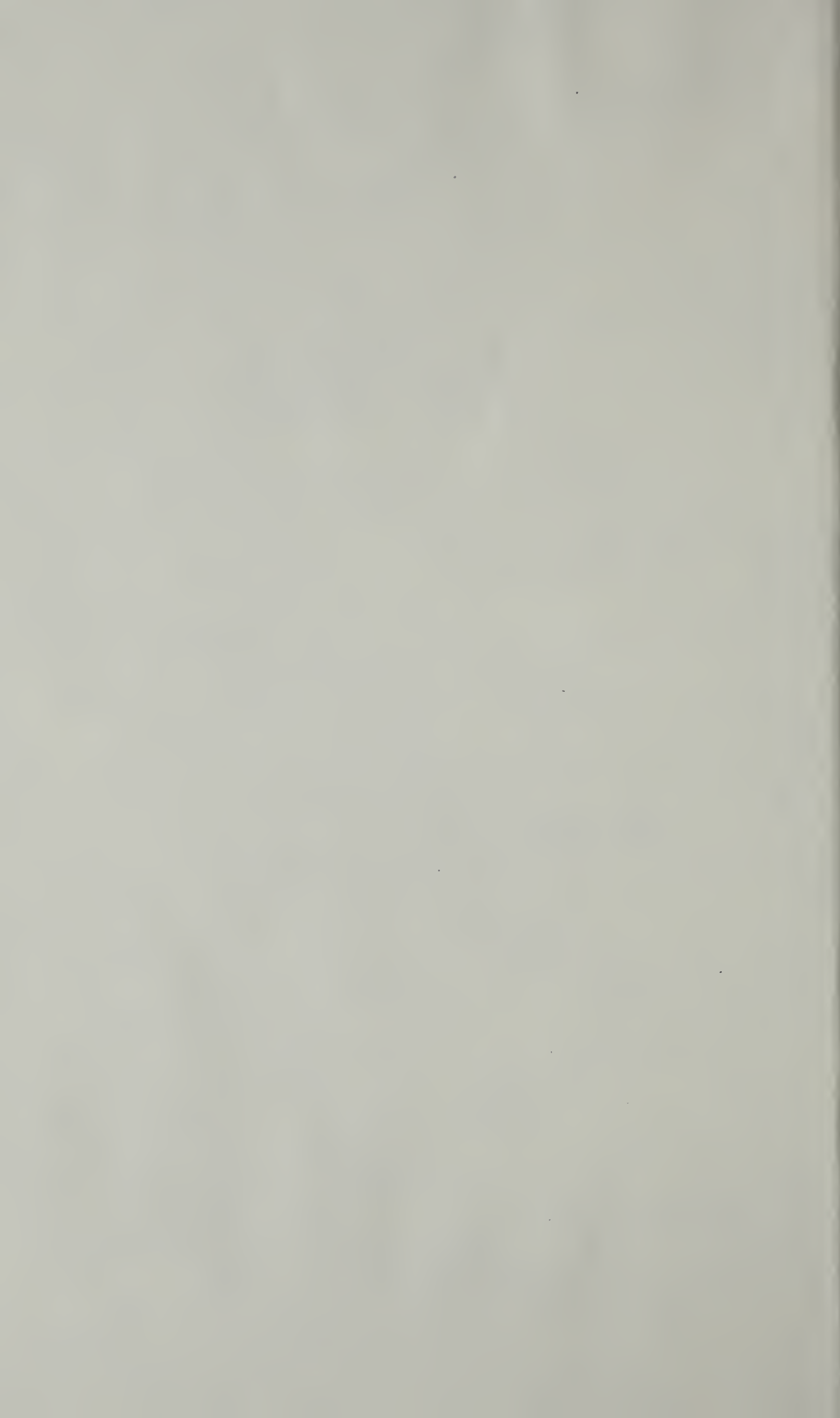
{ SEAL. }

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